

AT A REGULAR MEETING OF THE CULPEPER COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD ROOM, LOCATED AT 302 N. MAIN STREET, ON TUESDAY, JULY 7, 2009.

**Board Members Present:** *William C. Chase, Jr., Chairman*  
*Larry W. Aylor, Vice Chairman*  
Sue D. Hansohn  
Steven E. Nixon  
Brad C. Rosenberger  
Tom S. Underwood  
Steven L. Walker

**Staff Present:** Frank T. Bossio, County Administrator  
Roy B. Thorpe, Jr., County Attorney  
Valerie H. Lamb, Finance Director  
John C. Egertson, Planning Director  
Paul Howard, Environmental Services Director  
Donna Foster, Deputy Clerk  
Barry Atchison, Assistant to the Deputy Clerk

### **CALL TO ORDER**

Mr. Chase called the meeting to order at 10:00 a.m.

### **PLEDGE OF ALLEGIANCE TO THE FLAG**

Mr. Nixon led the members of the Board and the audience in the Pledge of Allegiance to the Flag.

### **APPROVAL OF AGENDA**

Mr. Chase called for additions or deletions to the agenda.

Mr. Thorpe called the Board's attention to the Closed Session portion of the agenda specifically Item 3.

Mr. Nixon moved, Mr. Aylor seconded, to approve the agenda as submitted.

Mr. Chase called for a voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker  
Motion carried 7 to 0

## **APPROVAL OF MINUTES**

Mr. Chase presented the following minutes for approval: June 2, 2009 10:00 a.m. and 7:00 p.m. regular meetings; June 9, 2009 9:00 a.m. Special Meeting; June 9, 2009 11:00 a.m. Joint County Board of Supervisors and County School Board special meeting; June 18, 2009 5:30 p.m. Joint County Board of Supervisors and Town Council special meeting; and July 28, 2008 6:00 p.m. Joint County Board of Supervisors and Town Council special meeting.

Mr. Underwood requested a correction to the last sentence of paragraph five on Page 7 of the June 18, 2009 minutes as follows: "Mr. Underwood stated he was concerned with the end user and in the current ~~economical~~ economic times he wanted to especially look out for the customers."

Mr. Underwood moved approval of all the minutes presented with the noted amendment to the June 18, 2009 minutes. Mrs. Hansohn seconded the motion.

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

## **CONSENT AGENDA**

Mr. Bossio reviewed the following consent agenda items:

a) The Board will consider a budget amendment for the Sheriff's Office for the excess of receipts over expenditures received on DARE calendars.

b) The Board will consider a resolution ratifying the approval of a request from Rapidan Volunteer Fire Department to discharge fireworks for the Fourth of July Celebration.

c) The Board will consider a resolution ratifying the approval of a request from James M. Rose to discharge fireworks for the Fourth of July Celebration.

d) The Board will consider acceptance and appropriation of a grant extension for the Office of Options from the Workforce Investment Board.

e) The Board will consider acceptance and appropriation of a training grant for the E-9-1-1 Center (\$38,335 with no local match required).

f) The Board will consider ~~acceptance and appropriation of~~ granting permission to apply for a grant for the Sheriff's Office from the Office of the Attorney General (\$2,250 with local match of \$250 from the Sheriff's operating budget).

g) The Board will consider a Resolution honoring and memorializing Alta B. Finks for her service to the Culpeper community.

h) The Board will consider approving a License Agreement between the County of Culpeper and Cole's Hill Dairy Farm.

Mr. Underwood moved, Mr. Aylor seconded, to approve the Consent Agenda items as presented by Mr. Bossio.

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

### **GENERAL COUNTY BUSINESS**

### **SPECIAL PRESENTATIONS/RECOGNITIONS BY THE BOARD**

Mr. Chase asked Mr. Bossio to read the resolution honoring and memorializing Alta B. Finks for her service to the Culpeper community noting that the family was unable to attend this meeting and requested they be mailed the resolution. Mr. Bossio read the resolution in honor of Mrs. Finks.

Mr. Chase asked if anyone wished to make any special remarks. Mr. Rosenberger stated it was a pleasure to work with Mrs. Finks, especially at budget time, and that he could only recall one time when Mrs. Finks had asked for something and that was to replace a typewriter that was over thirty years old. Mr. Chase agreed and noted that after receiving the typewriter Mrs. Finks kept apologizing for having to make the request.

### **VDOT REPORT TO THE BOARD**

Donald Gore, VDOT Resident Engineer, updated the Board on VDOT construction and other activities within the county:

Route 15/Lowes Project is scheduled to be completed the first part of August; Route 229 project is progressing well; Route 745/Lanes Farm Road project should start in mid-August; and the safety work on Route 3 is being continued. He discussed a list of safety improvements scheduled for Germanna Highway/Route 3 and noted most of the short-term improvements had been completed and the long-term improvements were slated for completion by December 1.

Mr. Gore noted Route 610 had been paved from Yellow Bottom Road (Route 620) to Richardsville Store (Route 619). He discussed the various maintenance work performed and specifically thanked Roberta Jackson and the Court system for the success of the trash removal program. He stated during the past year, 3,855 hours had been spent picking up 4,021 bags of trash and 100 tires from 1,477.5 miles of highways. He noted he had not heard anything further on the White Shop intersection study nor the speed study for Route 644; with reference to the review of the proposed traffic signal at Route 29 and Granite Boulevard, he did not believe a light would be warranted; however, increased signs may be recommended. He reported he had provided Mr. Egerton with information on permits and land development.

Mr. Chase noted the dedication of the Earl Hawkins Bridge on Route 647 (Batna area) was scheduled for July 17. He complimented VDOT on the road work performed from Route 3 (Batna Road) to Blackjack Road, and noted he had received complaints and requests from neighbors on the other portion of the road to fill the holes in the roadway.

Mr. Underwood questioned the review results for the intersection of Route 29 and Granite Boulevard and noted that as part of this review, consideration was suppose to be given to making Mountain Run Lake Road a 'right turn' only. He asked if this was still being considered. Mr. Gore noted this would be further discussed at an upcoming meeting and noted a study was performed several years ago and at that time it was noted the signal may be warranted if all the traffic in the subdivision would come out Granite Boulevard.

He believed a more recent study indicated that much of the traffic would be using Mountain Run Lake Road to come into the town. Therefore, VDOT will probably be increasing the size and number of signs versus recommending a traffic signal.

#### **CONSIDERATION OF APPLICATION FOR VDOT FY 2010 REVENUE SHARING FUNDS**

Mr. Egertson noted it was once again the time to consider applying for VDOT Revenue Sharing Funds. He referenced the packet information, which included a letter to VDOT, resolution, and application document.

He proposed concentrating on the western outer loop project connecting Route 729 and Route 522 and stated he hoped this was the last year for contributing money to that project. The proposal was to request the maximum amount of VDOT money, which was \$1,000,000. In order to have the highest possible rated application, the County would have to match the funds requested and provide something above and beyond the 50% match. Mr. Egertson recommended the County offer \$1,000,100 to get the application into the highest tier. He noted this was only \$100 over the County's budgeted amount. He briefly discussed the breakdown of the total project.

Mr. Chase questioned the Town's contribution. Mr. Egertson noted the Town had contributed \$744,920 and this was matched by VDOT.

Mrs. Hansohn asked if there was concern with the State not granting revenue sharing funds next year. Mr. Egertson believed the revenue sharing program was good for the next couple of years, but Commonwealth Transportation Board Member Butch Davies had indicated it was possible the program could cease after the next few years.

Mr. Walker questioned if the project would be ready to start once the funding was in place. Mr. Egertson stated 70% of the VDOT estimated costs had to be in place in order to get the project started and the County had attained well over that percentage. He noted VDOT was proceeding with the engineering, right-of-way procurements, etc.

With this revenue sharing and the money already in the project account, there would be over \$10.6 million and the estimate for the project is \$10.4 million.

Mr. Underwood questioned if consideration had been given to the County acquiring the rights-of-way. Mr. Egertson responded that revenue sharing can be VDOT or locally administered. Local administration requires a formal agreement with VDOT and

a lot is involved with this. He stated he was willing to study this more if the Board directed, but his initial feeling was that VDOT is better equipped to administer the project and he did not believe the County could do it faster.

Mr. Underwood stated if the County received the revenue sharing funding it would actually have approximately \$250,000 extra. He questioned if the extra money could be transferred to the next project and what were the next recommended projects. Mr. Egertson stated the money is transferable or alternatively the appropriate shares could be returned to the locality and VDOT. He stressed that normally the money is moved up to the next project. Mr. Egertson specified and briefly discussed a number of projects in the Comprehensive Plan that could be considered.

Mrs. Hansohn stated the County was well on its way to getting the road constructed and she believed it needed to move forward with the revenue sharing application.

Mrs. Hansohn moved, Mr. Nixon seconded, the Board approve the Resolution requesting the revenue sharing funding in the amount of \$1,000,100.

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

#### **LETTER TO VDOT REGARDING THE WESTERN OUTER LOOP PROJECT**

Mr. Egertson advised the Board that a letter addressed to Mr. James Utterback, VDOT District Administrator, requesting that VDOT expedite the western outer loop project had drafted for the Chairman's signature.

He discussed the need to get the project started while the revenue sharing program is still in place and to also meet the program requirement that the money be expeditiously spent on the project.

Mr. Nixon moved, Mr. Aylor seconded, to approve the letter to be sent to VDOT.

Mr. Nixon questioned what asking VDOT to expedite the project really meant, because the time schedule presented by Mr. Springer, Principal Transportation Planner for VDOT, indicated the project construction would not start until 2016 and he personally felt that timeframe was unacceptable.

Mr. Egertson noted he had drafted the letter and added it to the Board's agenda prior to Mr. Springer's discussion with the Interaction Committee.

Mr. Egertson agreed the timeframes presented by Mr. Springer were much further off than he had anticipated. He said the question of how much VDOT could do to expedite the project was being posed in the letter to Mr. Utterback. Mr. Egertson asserted since the funds were in place and VDOT was currently working on starting the project design and right-of-way acquisitions, he did not understand why it would be six years before construction. He hoped that VDOT could move the process faster.

Mr. Underwood stated he would support the motion to send the letter and clarified that he was not suggesting that the Board consider the alternative of the County handling the construction project at this point in time. He did suggest that there were three separate areas that could be considered: outsourcing the planning and engineering for the project or see if there are requirements that VDOT has that is adding time to the project and then do a cost benefit analysis of these, and also give similar considerations to the right-of-way acquisitions. He reemphasized that he supported the letter, but would like consideration given internally to see if there was anything the County could do to speed up the processes he had mentioned.

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

**RESOLUTION SUPPORTING DESIGNATING A PORTION OF THE HUGHES RIVER AS A SCENIC RIVER**

Mr. Egertson, in presenting the background on this item, explained that it had been over a year since John McCarthy, Rappahannock County Administrator, had approached the Board on conducting a study to consider the designation of the Hughes River as a scenic river. He noted Lynn Crump of the Virginia Department of Conservation and Recreation (DCR) had also made a presentation to the Board and asked permission to proceed with the study. Mr. Egertson specified that the Board had permitted the study; however, it wanted Staff to communicate with the property owners along the river to solicit their input on the proposed designation.

Mr. Egertson noted the letter was sent to the property owners in February 2009 and only one property owner had responded and supported the designation of the river as a scenic river. He noted a portion of the river also borders Madison County, so all three counties are being asked to support the designation. He believed neither Madison County nor Rappahannock County had acted on the designation at this point. Mr. Egertson stated the study was complete and DCR had agreed the river qualifies; therefore DCR would like to make the designation. He recognized Lyn Crump, DCR, and Wayne Walton, Scenic River Advisory, Board, as being present in the audience to answer questions. Mr. Egertson also referenced informational materials provided to the Board and stated, based on the information he had, the designation technically has no regulatory impact and is primarily to promote the State's scenic river program.

Mr. Chase questioned if livestock would still be allowed to get into the water and drink from the river and Mr. Egertson responded that there would be no regulation resulting from the designation that would prevent this.

Mr. Nixon believed he was previously on record as being concerned with what future ramifications this type of designation might have.

He referenced the language contained in the brochure, which stated General Assembly approval was required prior to installing a dam in the river. He asked if a property owner would be prohibited from installing a dock.

Lyn Crump stated there are no requirements or restrictions within the scenic river designation that would control docks. However, because it is a waterway there are permits that are required from other agencies.

Mr. Nixon questioned the benefit of having the designation. Ms. Crump stated the best benefit would be raising awareness of the scenic qualities and recognition of the great resources for future generations. Promotion at the local level will increase the effectiveness. She noted over 500 river miles have been designated and Culpeper will be in partnership with many other areas. She pointed out that the Rappahannock River had been designated since the 1980's.

Mr. Nixon questioned a reference in the handout that a special tax assessment may be given. Ms. Crump stated that in some localities tax credits or reductions are granted if property borders a scenic entity.

Mr. Walker asked if the entire Rappahannock River was included in the designation. Ms. Crump stated it was designated for 87 miles from its head waters/mountain stream to the City of Fredericksburg.

Mr. Chase asked if the regulations could change. Ms. Crump noted yes, but it would take General Assembly approval.

Mr. Underwood stated he had heard from constituents that live along the river and a couple of individuals had questioned what benefit it would be to them to attract more people to recognize the river as being scenic. Further, they also questioned whether or not the laws could change to place more regulations on them. Mr. Underwood stated he could not tell them that the government would not expand and try to take more of their rights; therefore, as he had previously indicated he would not support the scenic river status for the Hughes, because he believed some of the property owners had objected.

Mr. Walker pointed out that the Rappahannock River has been a part of the program for many years and it has not negatively impacted the landowners.

Mr. Walker moved, Mr. Aylor seconded, to approve the resolution of support for designating a portion of the Hughes River as a scenic river.

Mr. Chase noted the river was already a nice, clean river and he did not see that the designation would improve it.

Mr. Rosenberger interjected that while the designation may not improve the river, it would draw attention to what it is and hopefully encourage people to take better care of it in the future. He thought that not recognizing and protecting a natural resource would be a tremendous mistake. He believed that generations to come would thank the Board for doing it.

Mr. Nixon stated he was always concerned with restricting people's rights that he tended to be very conservative because he believed a property owner should have a right to do with his property as he chose, as long as it does not violate the law or hurt anyone else.

He felt Ms. Crump had helped him understand the designation better; although he still had some reservations concerning the laws changing in the future, he would support the motion.

Mr. Chase asked Mr. Rosenberger if he recalled a movement to prevent livestock from getting into streams. Mr. Rosenberger responded that in the past there had been federal and state program monies that could be used for fencing off streams; however, this type money was no longer available.

Mr. Aylor added there had also been some soil and water conservation incentive programs that promoted alternative watering programs to try and keep livestock out of the streams.

Mr. Underwood further commented that he did not believe the government had to tell the landowners to be good stewards, because they had done pretty well over the last 100 years. He understood the desire to recognize the river, but he would not support the motion.

Mr. Chase called for voice vote.

Ayes: Aylor, Hansohn, Nixon, Rosenberger, Walker

Nays: Chase, Underwood

The motion carried 5 to 2.

**CONSIDERATION OF RAPPAHANNOCK-RAPIDAN COMMUNICATING SERVICES BOARD AND AREA AGENCY ON AGING (RRCSB-AAA) 2010 PROGRAM PLAN AND PROPOSED RESOLUTION**

Mr. Brian Duncan, Executive Director, thanked the Board for the opportunity to present the Rappahannock-Rapidan Community Service Board and Area Agency on Aging (RRCSB) 2010 Program Plan. He recognized RRCSB members Richard Goff and Judy Shulick and thanked the Board for recently appointing Rev. Brad Hales to the RRCSB. He explained that the RRCSB organization provided services to try and improve the quality of life for senior citizens and individuals with disabilities in Culpeper, Fauquier, Madison, Rappahannock and Orange.

Mr. Duncan highlighted various projects and services performed such as: the new Scrabble School Senior Center in Rappahannock County; Boxwood Recovery Center; Locust Grove Group Home; intensive care coordination; core services to individuals with serious disabilities related to behavior health and intellectual disabilities; key partner in Aging Together Partnership; state model for teen suicide prevention programs; capital investments to assure recovery and rehabilitation services for local citizens for decades to come; and active information sharing with all stakeholders.

Mr. Duncan outlined the total served projections for 2010 for each county and emphasized Culpeper had the highest projection which was 1776 individuals. Mr. Duncan estimated the individuals served in Culpeper had grown by about 165 people since his last presentation. He noted the two highest service areas for Culpeper was 'substance use disorders' and 'aging.' He briefly highlighted the 2010 revenue, spending, and



personnel breakdown and noted there are about 26 different programs that Culpeper benefits from.

Mr. Duncan thanked the Board for its increased funding noting that the other localities had either level funded or granted the requested amount. He noted several challenges being: stability of State general funds; regulatory changes in Medicaid, employee health care cost – FY 2011, and increased children's services. He emphasized the positive presence that RRCSB has in Culpeper and noted he was seeking the Board's endorsement of the proposed resolution.

Mr. Nixon asked if Mr. Duncan had considered developing an action plan for scaling back RRCSB budget since the availability of state and local funding was becoming questionable.

Mr. Duncan responded that this was being considered because the Governor had already forecasted 5-10-15% reduction scenarios and the RRCSB would be looking at how this could be addressed. He believed if the state reductions were around 5-7% it would be manageable; however, a 10-15% general fund reduction would equate to approximately \$660,000 and this could not be absorbed within RRCSB's budget.

Mrs. Hansohn questioned the challenge of providing psychiatry care for children and asked if any agency other than RRCSB provided this service.

Mr. Duncan stated some private concerns were offering child psychiatry and consultation on a fee for service basis, but no one else is doing it on the public side. Mrs. Hansohn asked if Medicaid could be used for the private services. Mr. Duncan stated some private services do accept Medicaid and some do not. Mrs. Hansohn and Mr. Duncan discussed this matter further and agreed if there were resources and money available it would be better funding-wise to try and handle these services locally versus the individuals having to seek service in other localities. Mr. Duncan believed the intensive care coordination program could evolve into developing some of the service type models that are needed. He noted at this time the demand for child psychiatry services was not being fulfilled.

Mr. Walker stated if the intensive care coordination program ended up reducing CSA dollars then this might be an incentive to use the dollars saved in this area. He recommended that Mr. Duncan work on tying these areas together and provide this information for the next budget cycle so the Board could see if there is a financial benefit.

Mr. Walker questioned the health care costs noting that the County was struggling with this and asked if joint participation would be beneficial.

Mr. Duncan stated they would be willing to look at participating in a plan with a locality if it would be beneficial.

Mr. Walker and Mr. Duncan briefly discussed the location of the Boxwood facility.

Mr. Underwood asked if the presentation made by Mr. Duncan was the plan. Mr. Duncan stated yes it was the actual plan the RRCSB had adopted; however, there were numbers that he had not over-burdened the Board of Supervisors with.

Mr. Nixon asked if the Board was being requested to endorse or approve the plan. Mr. Duncan clarified that the Board was being asked to endorse and verify that it was provided an opportunity to ask questions and provide feedback.

Mr. Walker moved, Mr. Nixon seconded, that the Board had an opportunity to ask questions and receive feedback and approves the resolution of endorsement.

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

### **NEW BUSINESS**

#### **REQUEST FOR A PUMP AND HAUL PERMIT**

Mr. Egertson presented the information relative to the pump and haul permit application from Alice Johnson. He noted Mrs. Johnson had lived on the site all of her life and the house previously located on the property had been condemned and torn down. The manufactured home on the property had been approved for use on an emergency basis and the home has no in-door plumbing. In fact, there had never been any drain field on the property. He noted the site would not perk or accommodate an alternative type system.

Mr. Egertson stated the application for a pump and haul was so Mrs. Johnson could have some type of indoor plumbing. Staff was concerned with the request primarily because the mobile home was located there on a temporary basis and the only way to accommodate it, as a permanent or semi-permanent dwelling, was to rezone the property to Agricultural. However, the property surrounding this property is all zoned Rural.

Mr. Egertson noted neighbors have voiced concerns with the property and the mobile home being located there. He noted that staff did not recommend the issuance of the pump and haul permit, since there is no real opportunity for the mobile home to remain on the property on a long term basis. He stated he understood Mrs. Johnson's plight but could not recommend the issuance.

Mrs. Hansohn questioned what Mrs. Johnson was currently using. Mr. Egertson stated an 'out house' was being used. Further discussion ensued relative to Mrs. Johnson being a lifetime resident on the property and that she does not want to move.

Mr. Nixon questioned if the pump and haul permit was granted, would a septic tank be installed. Mr. Egertson stated yes and then the tank would be pumped periodically. Mr. Egertson stated if a solution is gained for the sewer system then the Health Department would allow water to be connected to the home and he believed a well did exist on the property.

Mr. Underwood believed there were several options with one being to change the RA zoning to permit manufactured housing and the home could be put on a foundation. He suggested the Board's responsibility was to consider the request and not get into the

other areas that Mrs. Johnson was responsible for. He noted he was inclined to support her as a constituent and long time landowner of the property.

Mr. Nixon asked if pump and haul permits had been previously issued. Mr. Egertson stated permits had been granted to a couple of churches and commercial entities; however, he did not recall issuance for a dwelling.

Discussion ensued with Mr. Chase noting that she has a daughter in Northern Virginia who checks on her and has invited her to live with her.

Mr. Thorpe stated the resolution adopted by the Board only establishes guidelines and not requirements for a pump and haul permit. Therefore, if the Board chose to issue a permit it could be tailored as desired and for the length of time they thought reasonable. Mr. Egertson said he had no problems with this; however, the real problem was with justifying allowing the mobile home to remain on the property based on the zoning ordinance. He further explained that the District Supervisor can approve the establishment of a mobile home for a certain time based on an emergency need and this time period can be extended one time. Mr. Egertson believed the extended period for Mrs. Johnson would end in November 2009.

Mr. Thorpe discussed how the County had struggled for a number of years with the original house that was collapsing and had to be demolished.

Mr. Aylor stated he understood that everyone was having a hard time with this situation and having to disturb someone who had been living on the property for a long time, but the regulations were in place for the health, safety, and welfare of the general public. He stated he was going to base his decision on the impact it has on the property around it and the guidelines in place. He stated making a decision based on emotions was opening the doors for other situations and he could not support a pump and haul permit.

Mr. Nixon stated he did not disagree, but he had a tough time uprooting a long time resident. He suggested tying the pump and haul permit to the expiration of the emergency home location permit. Mr. Egertson suggested the wording be that the pump and haul permit was being granted for as long as the manufactured home is legally located on the property.

Mr. Nixon moved, Mr. Aylor seconded, that the Board approve granting a pump and haul permit to Mrs. Johnson to serve the manufactured home for as long as the manufactured home is legally located upon the property.

Mr. Chase noted the neighbors were also concerned with the ownership being divided six ways and the property not being kept clean. Also, he believed water service was a problem. Mr. Egertson believed there was a hand pump type well and noted the property should accommodate the drilling of a well.

Mrs. Hansohn noted that Mr. Coleman, Human Services Director, was present in the audience and there may be some way that his department can assist with other issues.

Mr. Underwood said he was concerned that Mrs. Johnson be allowed to continue with her dwelling and that he would reluctantly support the motion.

Mr. Walker suggested the accompanying letter make it clear that all parties understand that the expiration date is approaching quickly. Mr. Aylor questioned and Mr. Nixon clarified that his motion would allow the pump and haul permit to exist for as long as the home is habitable and is legally allowed on the property. If the home permit expires, then the pump and haul permit would also expire.

The members discussed how other alternatives exist and if another home is built, the permitting requirements for that construction would address some of the other questions raised. Mr. Underwood questioned if the ordinance could be changed to allow a second extension of the current permit. Mr. Nixon stated that was a discussion for another time.

Mr. Chase stated in many cases mobile homes are cleaner and nicer looking than some regular structures and that he had previously discussed with Mr. Egertson the possibility of changing the ordinances to allow them. Mr. Underwood stated he was all for expanding property owner rights. Mrs. Hansohn believed modular homes could be installed just as reasonably as manufactured homes and it was a better product. Mr. Underwood remarked that both existed in the Salem District.

Mr. Walker questioned why the emergency home permit did not automatically include a pump and haul permit. Mr. Egertson stated normally emergency dwellings are connected to an existing sewer and water system.

Mr. Chase called for voice vote.

Ayes: Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Nays: Aylor

The motion carried 6 to 1.

**RECESS:** The Board took a brief recess at 11:31a.m. and reconvened in session at 11:43 a.m.

### **WATER AND SEWER RATES**

Mr. Howard noted since the County and Town had reached a settlement on the 2003 Water and Sewer agreement, staff was recommending adopting a new rate schedule. He noted there were two parts 1) availability fee; and 2) monthly charges paid for the consumption of water and sewer. With reference to the first area, Mr. Howard explained how the County currently assessed one availability fee for every three hundred gallons per day of consumption regardless of meter size. The Town of Culpeper bases the availability fee on the meter size and sets a maximum flow permitted through each meter. For consistency and ease of implementation, he recommended the County assess tap fees (availability fees) based on meter size using the same methodology used by the Town. This way customers outside and inside the Town will be assessed fees in the same manner. He noted a proposed availability fee assessment policy that was modeled after the Town's was included in the packet.

Mr. Howard noted the policy did not address fees for three and four inch meters and these would be subject to negotiation with the Board.

The second area dealt with the rate schedule for the monthly consumption. Mr. Howard discussed the differences between the Town and County schedules. He recommended the County adopt the same rate structure as the Town for the same tiers so all town and county customers are paying based on the same rate structure and fees. He noted if the Board adopted the new rates and applied them to the customers at the Airpark then they would experience about a 36% increase. The average bill would increase from \$125. to \$170. per month.

Mr. Howard stated adopting a unified rate and fee structure would eliminate the economic inequities for customers and simplify the process of providing water and sewer service in the town environs. He noted there would be two customers affected within the town environs that would receive a slight increase and the Airpark customers would receive a larger increase. He pointed out that the proposed rate schedule was included in the packet.

Mr. Chase asked if the Public Works Committee had considered this matter. Mrs. Hansohn stated no.

Mr. Underwood referenced the joint County and Town meeting where, for the economic benefit of the businesses, he had presented an argument for having the rates be 150% across the board and this was different from the out-of-town rate schedule. He believed staff's proposal would be 'jacking the rates up' to benefit the County. Mr. Howard stated it would provide some profit on the sales and if it were left at the 150% it would be selling the water for what the County paid for it. Mr. Underwood stated he would like to see the rates reduced, because the County would still be making a profit on the actual water flows by charging the out-of-town rate versus buying at the in-town rate. He believed there would be an incentive to form a joint authority or find a way to economically go separate ways. He further described his preference on how the rates should be structured.

Mr. Nixon noted the reason the County had a difference in its rate structure was because it was primarily dealing with commercial customers and not residential and the Town's system incorporates residential and commercial together based on meter size. He asked if Mr. Howard was recommending that the County mirror the Town's system based on the flow rates. Mr. Howard stated yes.

Mr. Nixon asked if the County adopted the proposal would it then be at twice the in-town rate. Mr. Howard stated yes. Mr. Nixon said he did not think anyone would have a problem with the County charging a margin over and above what it is paying in order to cover administrative costs, etc. Mr. Howard noted if the customers were being served by the Town, they would pay the same.

Mr. Howard further explained the proposed rates and fees. Mr. Walker stated Mr. Nixon had presented a good point on the County's existing customers and asked if there was a way to extend or phase in the rates. Mr. Howard noted the rates could be phased in over a period of time or they could have an effective date several months out.

Mr. Bossio noted that the reason the rate structure had been brought to the Board without waiting a month to go through the Committee because the County needed a rate structure ready for those customers waiting to hook up.

Mrs. Hansohn asked if a public hearing was needed. Mr. Thorpe stated no, because there were no outstanding bonds or obligations. He asked if Mr. Howard was suggesting that the user rate for existing customers could become effective January 1 and the new customers would have to start paying now. Mr. Howard stated yes that was an option to consider. Mr. Thorpe stated in effect the County would be creating two classes of customers and questioned if it would be an administrative problem by having two classes.

During further discussion, Mr. Howard suggested the rate implementation could be applied differently based on service areas and it was a small number of customers involved. He suggested the Airpark service area could be effective at a different time. Mr. Walker asked if this issue was an Authority matter.

Mr. Howard stated at this point it was a Board decision.

Following a further brief discussion, Mr. Nixon moved, Mrs. Hansohn seconded, that the Board adopt the water and sewer rates and availability fees as presented with the Airpark service area customers be phased in effective October 1, 2009.

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

#### **COMMITTEE REPORTS**

##### **AIRPORT ADVISORY COMMITTEE REPORT – June 10, 2009**

Mr. Bossio advised the Board there were no action items to bring to the Board.

(See Attachment 1 for details of the Committee meeting)

##### **AD HOC ANIMAL SHELTER ADVISORY COMMITTEE REPORT- June 23, 2009**

Mr. Chase asked Mrs. Bennett to make the report. Mrs. Bennett reported that an agreement had been reached with HHD Mobile Veterinary Clinic, at no cost to the County, for spay/neuter services to be provided at the Animal Shelter. She explained that this would add additional opportunities for the Shelter to offer the service to the citizens.

The Board members were pleased that the additional services were being provided.

(See Attachment 2 for details of the Committee meeting)

### **E-9-1-1 BOARD REPORT – June 18, 2009**

Mrs. Hansohn reported that the E-9-1-1 Board had approved separating the County-Town Joint Dispatch Center Agreement into two separate agreements, one dealing with operations and one addressing financial issues between the Town and County.

(See Attachment 3 for details of the Committee meeting)

### **PERSONNEL COMMITTEE REPORT – June 18, 2009**

Mr. Nixon reported that the Personnel Committee was forwarding the following items to the Board:

#### **a) Recommend that the Voluntary Early Retirement Program be approved.**

Mr. Nixon requested that Ms. Croson provide a brief overview of the proposed program. Ms. Croson noted the program would provide a retirement benefit for up to three years based on the individual's VRS benefits and this could be prorated based on position funding. Also a health insurance payout can be granted and this could be prorated depending on whether or not the individual is Medicare eligible.

Mr. Underwood asked if this was for positions that the County would be eliminating or how a determination would be made on who is eligible and if it actually makes sense for the taxpayer and administration.

Ms. Croson responded there would have to be a 45% savings within a two-year period. So applications would be worked on a case-by-case basis and the decision on whether or not the position would be filled with a full time or part time employee would be based on the savings. She and Mr. Underwood further discussed how the calculations would be made.

Mr. Nixon explained what he considered the basic scenarios would be.

Mr. Underwood discussed his concerns with situations where individuals have taken retirement and remained in a part time status and how this had created challenges. He said he almost preferred when the Board eliminated positions that individuals not return to the positions on a part time basis. He did not want to see full time positions being turned into part time positions to just avoid health care and creating another set of incentives to have people work for the County.

Mrs. Hansohn explained how a long term person with the Cosmetology Center had retired and she had come back for three days a week and this retained the knowledge base without paying benefits or as much salary. This individual is also training a new part time person, so it was a win-win situation. She and Mr. Nixon agreed this would have to be considered on a case-by-case basis.

Mr. Nixon further explained how the Committee and Staff had tried to eliminate as many variables as possible and still make it fair for the employee and the County. It noted it may not be perfect and future changes may be needed.

Mr. Underwood questioned the cost and how many people would be participating. Ms. Croson noted that sixty-nine people were eligible to participate, but she was not certain how many would choose to participate.

Mrs. Hansohn noted it was a one-year trial program and if it does not work well then changes could be made or the program could be eliminated. Mr. Nixon noted the application deadline is September 15 and agree to retire by certain date in October.

Mr. Bossio commented that this was a necessary tool with the budget being the way it is. Especially, if there were position cuts proposed and the individuals were up for retirement then it would help a person versus just eliminating their position. He believed it was a win-win way of accomplishing a reduction in workforce.

Mr. Underwood noted there would be a cost to the taxpayer and if the position needs to be eliminated then it should be. He was uncertain if providing what was essentially six months more salary was affordable. Mr. Nixon pointed out that the 45% cost savings would have to be derived over a two-year period or the early retirement would not be approved. So it should be a cost reduction to the constituents.

Mr. Bossio noted he could not think of any position that needs to be eliminated, because it would be a reduction in service to the public. He noted this was a way to say thanks to people for doing a great job and at the same time reduce costs in the future.

Discussion ensued with Mr. Walker questioning the employees that are paid by the State Compensation Board. Mr. Nixon stated the Committee did not want to supplement the portion of a person's salary that was being paid by the Compensation Board.

Mr. Nixon moved, Mrs. Hansohn seconded, approval of the Voluntary Early Retirement Program as recommended by the Committee.

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Walker

Nays: Underwood

The motion carried 6 to 1.

**b) Recommend that the Board of Supervisors (BOS) Days Program be approved with actual payouts being limited to Public Safety employees.**

Mr. Nixon noted the Committee was recommending that the Board of Supervisors (BOS) Days Program be extended for another year based on the fact that the Board is not providing an increase in salary to the employees. He noted the BOS Days have to be taken before anything else is granted and in the case of the Public Safety employees they can be compensated if they cannot take the BOS Days.

Mr. Bossio pointed out that everyone took the leave last year so there were no payouts granted.



Mr. Underwood questioned if everyone in the Public Safety area was able to take off the BOS days last year, why add the special provision for this year. Mr. Nixon stated it was being allowed in case a situation arose where the individuals could not take the days. Mr. Bossio added that there had been about a 27% increase over the past year in the number of service calls received.

Mr. Nixon moved, Mr. Walker seconded, approval of the Board of Supervisors (BOS) Days Program with actual payouts being limited to Public Safety employees.

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

(See Attachment 4 for details of the Committee meeting)

#### **PUBLIC SAFETY COMMITTEE REPORT – June 18, 2009**

Mr. Nixon noted the Public Safety Committee recommended the following items:

a) **Recommend postponing, for thirty days, action on the proposed lease between the Salem Volunteer Fire Department and Culpeper County for training room space.** (Note: This item was postponed for 30 days at the Board's regular meeting in June.)

Mr. Nixon explained that the Committee was considering some new information pertaining to the possibility of acquiring a lease from the New Salem Baptist Church for the former Salem Volunteer Fire Department facility. The Committee was requesting more time to further consider this matter. There were no objections to the request for postponement.

b) **Recommend approval of the amendments to Culpeper County Fire and Rescue Association's County Death Benefit Policy.**

Mr. Nixon presented the background of the Committee's consideration and the proposed amendments.

Mr. Nixon moved, Mr. Walker seconded, approval of the amendments to the Culpeper County Fire and Rescue Association's County Death Benefit Policy as presented.

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

**c) Recommend that the balance of the funds available for FY 2009 for Company 11 be distributed equally based on reimbursable receipts to the other (Association) companies.**

Mr. Nixon briefly presented the background of the Committee's consideration and its recommendation.

Mr. Nixon moved, Mr. Aylor seconded, approval of the recommendation that the balance of the funds available for FY 2009 for Company 11 be distributed equally based on reimbursable receipts to the other (Association) companies.

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker  
The motion carried 7 to 0.

**d) Recommend approval of the proposed donation and title transfer of Vehicle Support 12 to Company 9, Little Fork Fire and Rescue.**

Mr. Nixon briefly presented the background of the Committee's consideration and its recommendation.

Mr. Nixon moved, Mr. Underwood seconded, to approve the donation and title transfer of Vehicle Support 12 to Company 9, Little Fork Fire and Rescue.

**e) Recommend acceptance of the offer from Tony Troilo, Rosson & Troilo, to provide all Culpeper County Fire Departments with heavy vehicle extrication and hazmat abatement services free of charge.**

Mr. Nixon provided a brief overview of the Committee's consideration and its recommendation.

Mr. Nixon moved, Mr. Aylor seconded, to accept the offer from Tony Troilo, Rosson & Troilo, to provide all Culpeper County Fire Departments with heavy vehicle extrication and hazmat abatement services free of charge.

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

(See Attachment 5 for details of the Committee meeting)

**PUBLIC WORKS COMMITTEE REPORT- June 10, 2009**

Mrs. Hansohn noted the Public Works Committee recommended the following items:

**a) Recommend appropriating \$300,000 received from Centex Homes to purchase equipment to support water and sewer utility services.**

Mrs. Hansohn introduced the item and moved approval. Mr. Nixon seconded the motion.

Mr. Chase questioned who would operate the equipment and what type equipment would be purchased. Mr. Howard stated there were a couple of employees within the department that could operate the mini-excavator, skid steer loader, and utility truck with crane which were slated for purchase. The equipment will be used for maintenance on water and sewer lines, pump stations and work at Clevenger's Corner. Currently this work is performed with contracted services.

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

**b) Recommend consideration be given to purchasing a roll-off truck with vacuum body and roll-off containers for operation of the Lignum and Laurel Valley Solid Waste Convenience Centers.**

Mrs. Hansohn presented this item and moved approval. Mr. Nixon seconded the motion.

Mr. Nixon questioned the use of the vacuum body. Mr. Howard explained this would be used for hauling sludge and wastewater from the Airpark and Emerald Hill wastewater treatment plants which was being currently handled with contracted services. Mr. Howard noted the sludge is hauled to either Remington or Town of Culpeper for disposal.

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

(See Attachment 6 for details of the Committee meeting.)

**TOWN AND COUNTY INTERACTION COMMITTEE REPORT- June 24, 2009**

Mr. Underwood noted the meeting was sparsely attended on the Town side and there were no actions items.

(See Attachment 7 for details of the Committee meeting.)

**TRANSPORTATION IMPACT FEE ADVISORY COMMITTEE- June 15, 2009**

Mr. Aylor stated the Committee had recommended the following item:

**a) Recommend that a Board work session regarding transportation impact fees be scheduled.**

Mr. Aylor presented the committee's recommendation that a work session be held and moved approval. Mr. Walker seconded the motion.

Mr. Underwood questioned the date and Mr. Aylor stated this would be left up to the Board. Mr. Nixon noted the Board had voted to not implement a fee and questioned if this was a request to revisit the issue.

Mr. Aylor stated yes and explained that a lot of work had been conducted on the issue. Mr. Nixon asked if the motion to revisit the issue needed to be made by a person who had voted on the prevailing side when the previous action was taken.

In response, Mrs. Hansohn moved that the Board revisit the transportation impact fee issue and that a work session be scheduled for this purpose. Mr. Walker seconded the motion.

Mr. Chase called for voice vote.

Ayes: Aylor, Hansohn, Rosenberger, Underwood, Walker

Nays: Chase, Nixon

The motion carried 5 to 2.

It was the consensus that the second motion disposed of the original motion and that staff would poll the Board for a suitable date to hold the work session.

(See Attachment 8 for details of the Committee meeting.)

**ECONOMIC DEVELOPMENT**

Mr. Sachs highlighted his monthly report:

1) There were no new commercial developments. Site plans are under review for Ira Hoffman Medical Associates and Rappahannock Electric Cooperative.

2) A Conditional Warn Notice was released from the Continental Corporation dated May 12, 2009. According to company representatives, 45 hourly and salaried employees were laid off on March 4, 2009. The company is presently considering an additional layoff of approximately 24 people - hence, the need for the Warn Notice. The additional layoffs could occur as early as July 12, 2009.

3) The Glens & Jenson Corporation recently closed operations of its Culpeper facility. The property is now listed with Long and Foster and the department is actively marketing the facility through its resources and the Virginia Economic Development Partnership Virginia Scan.

4) The department has been working with four business development prospects. The first is a traditional manufacturer that has made 3 site visits to Culpeper and has expressed serious interest in a Culpeper location. The second is a national corporation that is searching for a site to construct a data center for its IT operations. This data center will not have co-location space and will, therefore, not be in direct competition with Terremark. The parties involved have exchanged a significant amount of information and a site visit is scheduled for July. The third is an energy production facility that is likely to occur, but may need some time to materialize. The fourth is a major expansion of one of our existing businesses.

5) The County Administrator, the Town Manager, the Department of Economic Development, the Culpeper Chamber of Commerce and Gordon Meriwether, President of The Uriah Group, supporter and fan of Culpeper, have been working on the development of an information assurance initiative that could have significant impacts on the economic development landscape of Culpeper County.

Mr. Sachs informed the Board that Mr. David Harris is the new General Manager/Director of Sales and Marketing for TYCO and would be joining the Board for lunch.

#### **ADMINISTRATOR'S REPORT**

Mr. Bossio noted there had been some discussion among Board members regarding the work load for the August meeting and it appeared there was only one on-going case and it may be continued until September; therefore, the Board may want to cancel the August Board meetings. A strategic planning work session may be held in August.

Mrs. Hansohn noted the idea made sense to her. She suggested the work session could possibly be held in the afternoon on an agreed upon day.

Mr. Nixon moved, Mrs. Hansohn seconded, the Board suspend the August 2009 regular meetings and hold a strategic planning work session.

Mr. Underwood noted his only thought pertained to the public comment session. He suggested that Mr. Bryson be invited to the work session since he is the primary speaker during the public comment portion of the regular meeting.

Mr. Thorpe requested that Mr. Nixon use the word 'cancel' rather than 'suspend' the meeting.

Mr. Nixon and Mrs. Hansohn accepted the amendment.

Mr. Chase called for voice vote on the motion to cancel the August 2009 regular meetings and hold a strategic planning work session.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

### **CLOSED SESSION**

Mr. Aylor moved, seconded by Mrs. Hansohn, that the Board enter into closed session, as permitted under the following *Virginia Code* Sections, for the following reasons:

1. Under *Virginia Code* § 2.2-3711(A)(1), to consider: (A) Appointments to the Culpeper Human Services Board; (B) An appointment to the Rappahannock-Rapidan Community Services Board; (C) An appointment to the Culpeper Economic Development Advisory Commission; (D) Appointments to the Economic Development Authority of Culpeper County, Virginia; (E) An appointment to the Germanna Community College Board; and Public Transportation Board (the last appointment was an addition at the time Mr. Aylor made the motion and was not on the preliminary agenda.)

2. Under *Virginia Code* § 2.2-3711(A)(3), (A)(7) & (A)(30), for discussion with legal counsel and Staff to consider the terms and scope of a proposed agreement with the Town of Culpeper, regarding boundary adjustment, water and sewer service including a regional water and sewer authority, and related issues, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County. (Note: This item was removed and discussed in open session. See the last motion for closed session.)

3. Under *Virginia Code* § 2.2-3711(A)(1) & (A)(7), for discussion of the assignment and duties of specific County personnel, and consultation with the County Attorney regarding specific legal matters requiring the provision of legal advice by the County Attorney, being the authority and duties of the specific personnel.

Mrs. Hansohn asked if anyone felt anything should not be listed. Mr. Chase confirmed that he had indicated all along that he would only discuss personnel issues in closed session.

Mr. Bossio noted that discussion of Item 2 was needed whether in closed or open.

Mr. Underwood agreed with Mr. Chase and noted that in terms of Town and County matters, the last meeting was all in open session and the amended agreement was reached. He said he realized that the two bodies were negotiating a final agreement, but the MOU was the basis and he did not see any reason to have a closed session on that. He also thought Item 3 discussion could be held in open session.

Mr. Chase stated he wasn't sure he could agree with Mr. Underwood on Item 3 being done in open session.

Mr. Underwood requested clarification on whether or not Item 3 was discussion on personnel and performance or if it was discussion on specific duties and reporting structure of a person.

Mr. Thorpe responded that for Item 3 he was prepared to discuss provisions of the Code of Virginia and their interpretation and advise the Board of Supervisors how that

might impact a specific set of duties and responsibilities of County employee and the chain of command from the County Administrator.

Mr. Underwood asked what harm would occur from Mr. Thorpe's discussion occurring in public. Mr. Thorpe explained there were portions of what he was prepared to report to the Board of Supervisors that he did know that the Board of Supervisors would care, as clients receiving legal advice, to have broadcast. Mr. Underwood stated he would prefer to have it broadcast and the reason was that the advice was dealing with the duties and chain of command of a particular position and the benefit of the public being aware of that would outweigh the damage that could be caused by broadcasting the discussion.

Mr. Nixon stated he was tired of having this type discussion every month, so he would vote to hold it in open session to see where it ended up.

Mr. Chase stated he was concerned that critical statements concerning personnel could be made and asked if Mr. Thorpe agreed. Mr. Thorpe stated yes. Mr. Chase said he never liked to see any criticism of personnel occur in public.

Mr. Underwood said if the discussion turned critical the Board could then enter closed session.

Mr. Rosenberger strongly suggested that the members of the Board take the legal advice of the County Attorney. He said he knew a little bit about the law, and he believed the body was entering dangerous territory and it needed to listen to the Attorney who was hired for this purpose.

Mr. Chase asked if Mr. Rosenberger was specifically referencing Item 3. Mr. Rosenberger stated he was speaking 'in general.'

Mr. Thorpe clarified that his statements pertained to Item 3.

Mr. Underwood stated he was elected by the constituents and he did listen to the advice of the Attorney, but he did what he believed was in the best interest of the constituents. He believed their having knowledge of what the Board was doing in this particular case would be good and he did not believe the body was going to be critical of the person in the chain of command. Therefore, he believed the Board's discussions should be in open session.

Mr. Chase stated he could vote yes on the motion if Item 2 was not included. Mr. Aylor pointed out that the motion was to discuss all the items in closed session.

Mr. Chase called for voice vote.

Ayes: Aylor, Hansohn, Rosenberger

Nays: Chase, Nixon, Underwood, Walker

The motion failed 4 to 3.

Following brief discussion, Mr. Walker moved, Mr. Nixon seconded, to approve all items listed for closed session, with the exception of Item 2, which would be discussed in open session.

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Nixon, Walker

Nays: Hansohn, Rosenberger, Underwood

The motion carried 4 to 3.

Mr. Nixon stressed how he agreed with Mr. Rosenberger that the Board had hired a County Attorney to advise when items should or should not be in closed session.

He believed the advice given was for the benefit of the Board, the person being discussed and for the situations being discussed. He noted each month the same discussion occurs and he believed the Board needed to come up with a policy and state how it should be handled, because to keep doing this made the Board look foolish in the public's eye as far as he was concerned. Therefore, he would like for the Board to consider coming up with a policy on how it was going to handle closed sessions in the future.

Mr. Underwood stated he remained optimistic that more and more will come the direction toward open government, so he liked having the discussion each month. He believed more progress was made this month than in prior months.

Mr. Nixon stated his concern was that the Board was going to do something in open session and would get sued and then the County citizens Mr. Underwood was trying to protect would have to pay for it.

**Closed Session - Item 2 (This item was removed from the Closed Session Agenda for discussion in Open Session):**

*Virginia Code § 2.2-3711(A)(3), (A)(7) & (A)(30), for discussion with legal counsel and Staff to consider the terms and scope of a proposed agreement with the Town of Culpeper, regarding boundary adjustment, water and sewer service including a regional water and sewer authority, and related issues, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.*

Mr. Bossio stated that he and the Town Manager were trying to decide upon a schedule to address the major issues involved in the process of creating a water/sewer authority. He noted a meeting date of July 28 or July 29 was been recommended for the two bodies to meet jointly to discuss four components:

- 1) Water & Sewer – How will the plant be transferred by:  
referendum, charter change, long-term agreement
- 2) Boundary Line Adjustment – what methodology will be used  
To transfer the boundary adjusted area to the Town and land use planning, etc.



3) Timeline of close-out-dates for each thing that needs to be Accomplished

4) Financial Planning

He noted Staff would like approval to set up the meeting of the two governing bodies to discuss the major components.

Mr. Underwood thought the Board should have discussions of the issues prior to meeting jointly and either date for the joint meeting was good for him.

Mrs. Hansohn asked when Mr. Underwood wanted the Board to hold its discussion. Mr. Underwood indicated he was comfortable doing at that moment. Mrs. Hansohn felt the discussion would take some time.

Brief discussion ensued. Mrs. Hansohn asked if Staff could streamline what would be discussed.

Mr. Bossio briefly outlined his thoughts on how the discussions could be handled.

Mr. Chase stated he had already signed an agreement on what he was willing to map out as the boundary line agreement. Mr. Walker added that both the Town Council and Board of Supervisors had reached the agreement on the map that Mr. Chase was referring to.

Mrs. Hansohn stated this map could very well be the one used, but to get everything back on track it may need to be stated again. Mr. Walker asked if the MOU that had been signed by both bodies was going to be used as the baseline for the discussion.

Mr. Bossio stated the baseline for discussion was 'boundary line adjustment' and whether or not the MOU is used would have to be decided upon once everyone is around the table. He noted the Town needed to know if the County was open to discussing other things besides the MOU.

Mr. Walker asked if there were valid reasons for not using the MOU as the starting point. Mrs. Hansohn stated if the Board wanted to say that was the starting point then it could do so; however, there may be another plan that might be better.

Mr. Aylor stated his position was that the Board should participate and that it was probably the Board's intention to use the MOU as the basis to start the discussion and through the discussion it may be determined that there was something better.

Mrs. Hansohn stated she could not speak for the Town, but encouraged the Board to participate in a joint meeting.

During further discussion, Mr. Nixon suggested that Staff meet prior to the joint meeting and come up with recommendations to be brought to the joint meeting and then they could decide where to go from there.

Mr. Bossio stated the two bodies had to iron out the issues, but Staff would outline the main items and what was involved with each. He pointed out the 12-month time period was getting shorter and shorter.

Following further discussion, it was the consensus of the Board to hold the joint meeting on Wednesday, July 29 at 6:00 p.m. at the Daniel Technology Center.

The Board recessed at 1:04 p.m. for lunch and reconvened at 2:25 p.m. in closed session.

The Board entered open session at 3:22 p.m.

Mr. Chase polled the members of the Board regarding the closed session held. He asked the individual Board members to certify that to the best of their knowledge, did they certify that (1) only public business matters lawfully exempted from the open meeting requirements under Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the closed session motion by which the closed meeting was convened, were heard, discussed or considered by the Board in the closed session.

Ayes - Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

#### **APPOINTMENTS TO THE CULPEPER HUMAN SERVICE BOARD**

Mr. Aylor moved, Mr. Nixon seconded, to appoint the following with terms as stated:

James C. Lee for a 4-year term to begin 1-1-2010 and to expire on 12-31-2013.

Sandra W. Shuman for a 4-year term to begin on 1-1-2010 and to expire on 12-31-2013.

Rev. Michael Gray for a 4-year term to begin on 1-1-2010 and to expire on 12-31-2013.

Jennifer Barbee for a 4-year term to begin on 1-1-2010 and to expire on 12-31-2013.

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

**APPOINTMENT TO THE RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES BOARD OF AREA AGENCY ON AGING**

Mr. Aylor moved, Mrs. Hansohn seconded, to the following with terms as stated:

Judy Shulick for a three-year term to begin January 1, 2010 and to expire on December 31, 2012

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

**APPOINTMENT TO GERMANNA COMMUNITY COLLEGE BOARD**

Mr. Aylor moved, Mr. Nixon seconded, to appoint the following with terms as stated:

John H. Jenkins for a four-year term to begin on July 1, 2009 and to expire on June 30, 2013

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

**APPOINTMENTS TO ECONOMIC DEVELOPMENT AUTHORITY OF CULPEPER COUNTY, VIRGINIA**

Mr. Aylor moved, Mr. Nixon seconded, to appoint the following with terms as stated:

Charles Gyory for a one-year term to begin immediately and to expire on 12/31/2010

Mr. Chase called for voice vote.

Ayes: Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker


The motion carried 7 to 0.

**ADJOURNMENT**

Mrs. Hansohn moved to adjourn. The meeting adjourned at 3:25 p.m.



Donna B. Foster, MMC  
Deputy Clerk

  
William C. Chase, Jr., Chairman

ATTEST:



Frank T. Bossio  
Clerk to the Board

Approved: September 1, 2009

***Culpeper Regional Airport  
Advisory Committee Meeting  
May 13<sup>th</sup>, 2009***

***Location: Airport Conference Room***

**Present:** Mike Dale, Tony Dias, Bob Yeaman, Bill Flathers, Jim Bailey,  
John Hunton, and Bill Chase  
**Absent:** None  
**Guests/Speakers:** T.R. Proven, M.T. Brown and J.J. Quinn  
**Staff:** Frank Bossio and Tanya Woodward

---

**Call To Order**

- ❖ Mr. Flathers called the meeting to order at 8:00 a.m.

**Approval of the Minutes**

- ❖ *The minutes from the April 8<sup>th</sup>, 2009 meeting were approved as written. Ayes all.*

**Airport Director's Update**

- ❖ Mrs. Lamb, Culpeper County Finance Director, was going to join us at this month's meeting, however, her Wedding Anniversary is today and Mr. Bossio informed the committee that she was on leave.
- ❖ Mrs. Woodward shared with the committee some of the financial tools available through Counterpoint the point of sale software that the airport uses. Counterpoint is used in tandem with the Bright Accounting software. The two accounting systems will be meshed within the next several months.
- ❖ The committee discussed self-fueling and the pricing of self-serve fuel. The airport has future plans for a self-serve fueling station. It was mentioned that five General Aviation pilots run out of fuel each week per an AOPA survey. The self-fueling option would be available to pilots 24 hrs/7 days a week.
- ❖ Discussion on the biometric gate and how it has continuing issues. Mr. Bossio and met with Whit Turner and Jose Sorzano regarding the biometric access reader for the gate access. We are reworking the design of the unit, which has been sent off to New York. Some adjustments have been made on the system to ease the inconveniences in the meantime.

**Safety/Security Issues**

- ❖ Mrs. Woodward has had the AWOS Technician out to work on the AWOS issues and it has been verified by transmission up to 50 miles from the airport. Varied discussion here.

### *Customer Satisfaction Index*

- ❖ In previous meetings, Mrs. Woodward updated the committee on the latest collections of the customer satisfaction surveys. Totals to date include 91 valid cards received. Of these 91 cards, 52 were based customers and 39 were transient customers.
- ❖ The airport had no further surveys at this time.
- ❖ The committee has asked that the results of the current surveys be displayed and disseminated.

### *AIR FEST 2009: 10/10/09*

- ❖ The committee had a varied discussion on the addition of classic cars to the air fest this year. The addition will be welcomed only if the ramp space allows for it.
- ❖ J.J. Quinn offered a suggestion that he would invite the classic cars to a fly-in that he is planning to help kick off the resurgence of the Culpeper Aero Squadron or CAS.
- ❖ Varied discussion on aircraft parking for the air fest and the inclusion of a ramp layout to include aircraft dimensions etc.
- ❖ Oliver Lohr has agreed to help Tony Dias with the food vendor setup.
- ❖ John Hunton will do the scaled layout map mentioned above.
- ❖ T.R. Proven has the waiver ready to be sent in to the FAA.
- ❖ An Air Fest meeting will be scheduled after the June Advisory meeting.

### *Pending Items*

- ❖ First Responder meeting was held at the CAF hangar on the 9<sup>th</sup>. Could communication with the Airport and the Fire/Rescue personnel. Varied discussion here.
- ❖ The Clearance Delivery issue saw some action on the part of the FAA in April, however, nothing definite.
- ❖ Lighting project was included with the stimulus package requests.
- ❖ Fire Ext. still on hold for the t-hangar complex. The small fire extinguishers have been mounted on the mowing equipment.

### *Open Discussion*

- ❖ Mrs. Woodward mentioned several items from different articles that were F.Y.I.
- ❖ Mr. Bossio received an email requesting the decommissioning of the R/W 4 NDB Approach. The FAA is looking into decommissioning all redundant approaches. This saves the FAA time and money when flight checking and printing publications. Mrs. Woodward has checked with a few flight instructors operating out of CJR and they train with this approach. Varied discussion here. Mrs. Woodward sent out an email to the based customers requesting input on this issue and the majority of the results were to cancel the redundant approach. Varied discussion here.

- ❖ Mr. Quinn informed the committee that he is in the process of getting the Culpeper Aero Squadron (CAS) back up and running. He is planning on hosting some fly-ins/outs as well as some other events for the squadron. Mr. Quinn will also try to coordinate some of these activities with the CAF events.
- ❖ Mr. Quinn updated the committee on the 6 students that the flight school currently is working with.
- ❖ Mr. Quinn commented that the airport looks good, the lights are in good working order, the AWOS could be received over Richmond and the Carl is doing a great job on the grounds.
- ❖ Mr. Dias discussed the amount in the coffers for the CAS and that he feels that the money could be used to present the terminal building with an aviation themed gift for display or use. Varied discussion here.

### Adjournment

- ❖ The meeting was adjourned at 9:05 a.m.

No Attachments at this time.

Approval:

Chairman: \_\_\_\_\_ Date: \_\_\_\_\_

Secretary: \_\_\_\_\_ Date: \_\_\_\_\_

- Indicates Subject with recommendation  
✓ Indicates recommendation forwarded

**AD HOC ANIMAL SHELTER ADVISORY COMMITTEE**

**Tuesday, June 23, 2009**

**9:00 a.m.**

Members Present: Bill Chase, Jamie Bennett, Rose McKinney, Samantha Whitesides  
Staff Present: Frank Bossio, Donna Foster  
Press Present: None  
Others Present: None  
Members Absent: Mary Dale

**CALL TO ORDER**

Mr. Chase called the meeting to order at 9:03 a.m.

**APPROVAL OF AGENDA**

Ms. Bennett moved, seconded by Ms. McKinney, to approve the agenda as published. Ayes all.

**UNFINISHED BUSINESS**

**a. Update re: Spay/Neuter Mobile Clinic Plan** – Ms. McKinney advised the Committee she and Samantha Whitesides had met with Dr. Susan Jacobson who has a mobile veterinary clinic and worked frequently with rescue groups and shelters. She said Dr. Jacobson could provide spay/neuter services twice a month for both the Humane Society and Animal Shelter cats. Ms. McKinney provided a price list to the Committee and explained Dr. Jacobson provided the service at a discount, along with a 20 percent discount for medications, and would also provide basic veterinary care along with the spay/neuter service. Ms. McKinney stated Dr. Jacobson could perform 12 to 15 spay/neuters in one day and used the best protocols.

Ms. McKinney stated the Animal Shelter had two runs to the Shenandoah Clinic every month and the Humane Society's need for spay/neuter would support the additional two days a month provided by Dr. Jacobson.

Ms. Bennett asked if Dr. Jacobson's surgical fuel charge and convenience fee was a one time fee or for each visit. Ms. McKinney responded it was for each visit for mileage, fuel and setting up the mobile vehicle.

Mr. Chase asked for clarification that the service was two times a month and asked about providing the service for dogs. Ms. McKinney confirmed it would be two times a month and explained Dr. Jacobson did not prefer to spay/neuter dogs because of the difficulty in restricting their movement after the procedure.

Ms. Bennett said it was great and noted there was an agreement between the Animal Shelter and Amberwood for treating animals, but she would talk to Amberwood and anticipated it would not be a problem or conflict to use Dr. Jacobson as well, because Amberwood was often very busy.

Mr. Bossio asked if Dr. Jacobson's services would be limited to Animal Shelter and Human Society cats. Ms. McKinney explained the prices listed were specifically for the Shelter and Human Society, but citizens could bring their animal and pay the Shelter, and in turn the Shelter would pay Dr. Jacobson.



Ms. Bennett suggested starting the two days a month with Animal Shelter and Humane Society animals only and, if successful, add an additional day specifically for citizens' animals.

Ms. McKinney asked if the Committee would like her to get in touch with Dr. Jacobson and have her start in July. Mr. Chase stated she should and the Committee could see how it worked out.

Ms. Bossio asked for clarification that Dr. Jacobson would provide the service at the shelter. McKinney confirmed she would.

Mr. Bossio asked if it required Board approval. Mr. Chase did not believe it required Board approval, but that the Board should be updated about the agreement for the spay/neuter mobile clinic program with Dr. Jacobson and that it was at no cost to the County.

**b. Update re: Adoption Program** – Ms. McKinney provided the Committee with an adoption and foster update for the year to date: 67 cats were adopted from Culpeper PetSmart; over 20 cats were adopted from Manassas PetSmart; 11 cats were adopted from foster care; 60 cats/kittens were currently in foster homes; 101 cats were adopted from the Animal Shelter; and 40 cats had been transferred to other Northern Virginia rescue groups

Ms. McKinney noted the Animal Shelter had received its 501C3 status from IRS.

Ms. McKinney asked the Committee for help in how to approach an issue with the Culpeper PetSmart. She explained the Animal Shelter had the playpen at PetSmart every third month and successfully adopted kittens via this method. She said the Orange County animal shelter and Cause-For-Paws had the playpen the other two months, however, Orange County had an additional 21 cages in other counties and Cause-For-Paws had 6 permanent cages and a permanent playpen they had access to, while Culpeper Animal Shelter only had 6 permanent cages. Ms. McKinney indicated she had been lobbying the PetSmart manager to let Culpeper Animal Shelter have the playpen all summer since the store was supported by Culpeper customers, but the manager indicated she wanted to be fair to all groups.

Ms. Whitesides asked what happened to the kittens that were not adopted at the end of the month. Ms. McKinney indicated they had to be returned to the shelter and the shelter was a kill shelter so Culpeper heavily depended on the PetSmart playpen, which they currently had until the end of June.

Mr. Bossio felt it needed to be a win-win situation for PetSmart since the manager was trying to be fair to everyone and asked if there was room for another cage in the adoption area. Ms. McKinney responded there was not enough space.

Ms. Whitesides suggested speaking to Orange County directly about relinquishing the space to Culpeper. Ms. McKinney advised the Committee she had attempted to do that. She also stated she had spoken with the PetSmart in Fredericksburg but they were not willing to give space to Culpeper.

Mr. Bossio suggested drafting a letter to PetSmart from the Committee explaining the circumstances and asking for their understanding.

Mr. Chase felt the availability of other options for Orange County was the best argument and asked that all the facts be laid out in the letter to PetSmart.

Discussion ensued regarding the declining numbers of adoptions, increasingly limited space with rescue groups and euthanasia becoming an issue if cats could not be adopted quickly enough.

Ms. McKinney asked if she should draft the letter to PetSmart and offered to deliver it to the manager of PetSmart. Mr. Chase confirmed she should draft the letter.

Mr. Bossio asked if Ms. McKinney knew PetSmart headquarters' policy. Ms. McKinney stated she did and the policy was to have more than one adoption per store, but it was the in the manager's discretion.

Mr. Chase inquired about dog adoptions. Ms. Bennett said dog adoptions were going well, but in the case of pit bulls it was becomingly increasingly difficult and the pit bull rescues were full. Ms. McKinney explained Culpeper Animal Shelter had off-site adoptions at Petco in Warrenton every Saturday and once a month at the Culpeper PetSmart.

Discussion ensued regarding the ability of the Animal Shelter to deal with mistreated dogs, dangerous dogs and untagged/unlicensed dogs. Ms. Whiteside stated the Humane Society could possibly take in a particular dogs from time to time if there was a need.

Mr. Chase confirmed Ms. McKinney would draft the letter to PetSmart for the Committee's signature and stated the next meeting would be July 21, 2009.

The meeting was adjourned at 9:40 a.m.

✓ Indicates Action Taken

***E-9-1-1 Board of Directors' Meeting  
Thursday, June 18, 2009  
7:30 A.M.***

Members Present: Jim Branch, Sue Hansohn, Steve Jenkins, Tom Williams, Anthony Clatterbuck, Frank Bossio, Jeff Muzzy, Scott Barlow  
Staff Present: Steve Basnett, Alan Culpeper, Wayne Green, Nicki Tidey, Donna Foster  
Press Present: Nate Delesline, Star-Exponent  
Others Present: Steve Nixon  
Members Absent: 1<sup>st</sup> Sgt. Dean (advisory member)

**Call to Order**

Sheriff Branch, Chairman, called the meeting to order at 7:30 a.m.

**Approval of Agenda/ March 19, 2009 Minutes**

Sheriff Branch noted two deletions to the agenda, Item (e) and (g).

Mr. Jenkins moved, seconded by Chief Barlow, to approve the agenda as amended.  
Ayes all.

Mrs. Hansohn moved, seconded by Mr. Clatterbuck, to approve the March 19, 2009 minutes. Ayes all.

**Special Recognition**

**a. EMD Accreditation Certificate Presentation** – Kenneth Crumpler, Communications Coordinator for the Virginia Office of Emergency Medical Services (VA OEMS), thanked Steve Basnett and Nicki Tidey for inviting him to the meeting. He explained that Emergency Medical Dispatch (EMD) recognized the dispatcher as the first responder for patient care and that EMD was a protocol system where the public safety dispatcher, with additional training and emergency medical knowledge, effectively and efficiently managed 911 calls and other emergency medical communication. Mr. Crumpler stated the Communications Committee under the Governor's EMS Advisory Board established a set of criteria in order for an EMS office to become accredited and Culpeper County was one of only twenty-four E-9-1-1 centers in Virginia to achieve that accreditation.

Mr. Crumpler, on behalf of Mr. Gary Brown, Director of the Office of EMS, presented the Certificate of Accreditation to Culpeper County for Emergency Medical Dispatch and recognized all of Culpeper's dispatchers.

Mr. Clatterbuck noted there was one individual he knew of who was alive today due to this program. Mr. Crumpler confirmed that to be the case and stated that was why VA OEMS supported the program.

Mrs. Hansohn thanked the EMS staff and Sheriff Branch expressed his appreciation and thanked the EMS team.

## **Unfinished Business**

### ***b. Consideration/Approval of the County-Town Joint Dispatch Center Agreement***

– Mr. Basnett stated Mr. Clatterbuck had suggested separating the Memorandum of Understanding (MOU) into two separate documents at the last meeting, one to address operations and one to address the financial portion between the Town and the County.

✓ ***Mr. Basnett moved, seconded by Mr. Clatterbuck, to approve separating the County-Town Joint Dispatch Center Agreement into two separate agreements, one dealing with operations and one addressing financial issues between the Town and County.***

Mr. Bossio believed it was a good idea and noted it would require the Town and County to meet to discuss the details since there was a basic financial formula in the current agreement, which is the baseline document that the Town and County had abided by for some time.

Mr. Jenkins asked if there was an intent to move away from the current framework of 33 percent funding by the Town. Mr. Bossio stated the Town and County would have to work out a formula in the coming years and he and Mr. Muzzy could discuss the numbers at budget time, but at the moment the current formula worked. He explained there could either be a separate amendment to the current document or amendments made to the current document.

Mr. Clatterbuck believed the operational side of the agreement was clear and concise, but he thought the financial side of the agreement should be kept separate since it involved more discussion and negotiation by the Board and Council.

Sheriff Branch called for voice vote.

***Motion passed with all ayes.***

Mr. Clatterbuck asked if the current agreement was the final document or if it required further review. Sheriff Branch indicated it was intended to be the completed document for discussion and acceptance or rejection.

Mr. Muzzy indicated the proposed agreement would need to go through the Town's Committees then be approved by Town Council to be officially recognized. Mr. Bossio indicated the agreement would proceed to the Board of Supervisors for approval if approved by this Board.

Sheriff Branch asked if the Board was ready to send this forward to Town Council and the Board of Supervisors.

Mr. Jenkins asked Sheriff Branch if he was comfortable with the verbiage concerning how the dispatcher positions appropriated through the State Compensation Board were managed as far as the hiring and firing being the Sheriff's responsibility. Sheriff Branch noted page 2 of the agreement stated, '...employees classified by the State Compensation Board shall be considered Sheriff's Office employees and shall have such rights as other employees of the Sheriff's Office,' which he understood to mean they are Sheriff's Office employees.

Mr. Clatterbuck noted page 3 of the agreement had two sections that stated 'needs attorney review' and asked if that review had been conducted. He also noted the last paragraph on page 5 of the agreement commented on the need to look at language dealing with continued provisions of providing dispatching services and asked how those questions would be addressed.

Mr. Bossio suggested 'needs attorney review' could be removed because those paragraphs dealt with finance, which would now be a separate discussion and agreement.

Mr. Basnett advised the comments on page 5 were his comments and they referred to the fact the agreement allowed for the dissolution of the 911 center if the Town and County agreed to such and his question was how the 911 center would continue to provide 911 services to the party that removed themselves from the agreement. He indicated that question was not currently answered.

Mr. Clatterbuck stated he believed the answer was within the provision for 365 days notice of withdrawal allowing for the process to be negotiated and worked out. Mr. Bossio agreed with Mr. Clatterbuck and felt it should be addressed at the time that situation happened.

Mr. Basnett asked if the Board should have the agreement separated into two agreements before forwarding it to the Board of Supervisors and Town Council. Mr. Jenkins said that was his understanding of the motion. The Board confirmed.

Mr. Clatterbuck asked if it would be appropriate to remove 'needs attorney review' and the questions from page 5 in order to implement the current agreement on a temporary basis until the two separate agreements could be developed. Mrs. Hansohn stated there was an agreement already in place and she would rather wait until the two separate agreements were completed before recommending them to the Board of Supervisors and Town Council.

Mr. Basnett and Ms. Tidey will work on separating the agreement into two separate documents as specified.

Mr. Clatterbuck asked if there were any significant disadvantages to the agreement currently in place. Mr. Basnett advised there were not and the only changes to the agreement were the language had been cleaned up and new signatories added to reflect current positions.

Sheriff Branch clarified the intent of the Board's action was to prepare two separate agreements and to forward both documents to the respective governments at the same time.

**c. Quarterly Report** – Mr. Basnett presented the quarterly report. He noted there was one confirmed case and a possible second one, which the QA/QI process was currently being conducted.

Mr. Basnett indicated the quarterly report showed calls were going up every month and the projected number showed a 14 percent increase if the calls continued at the same rate. He advised the 911 center was operating as it should and the Center was still without one position, which was frozen through the end of the fiscal year and he hoped to have that resolved after the first of the new year.

Mr. Bossio asked if money was in the 911 Center's budget for FY 10 for the frozen position. Mr. Basnett confirmed the money was in the budget.

Mr. Williams asked what the 911 Center considered a 'save.' Mr. Basnett stated it was when a patient was provided CPR and delivered to the hospital still breathing on their own. Mr. Williams asked if there was a mechanism to follow that patient from the time they arrived at the ER until they went home. Mr. Basnett explained due to HIPAA the hospital would not share that information. Mr. Williams believed he could assist Mr. Basnett with that information through the Trauma Registry which enabled him to follow the outcome of patients and noted he and Mr. Basnett could work together in that regard.

Chief Barlow recalled that Mr. Basnett stated calls were going up year-to-year and the Town had an increase of 10 percent each year for the past 5 years. He asked if that number was consistent with what the County was seeing overall. Mr. Basnett indicated the current trend for the Town's calls for service was almost at 19 percent for the coming year and he did not foresee a decline.

Mr. Clatterbuck asked if he could describe what an abandoned call was and the rationale behind the month of May having 10 times the number of abandoned calls than any other month. Mr. Basnett explained an abandoned call was when someone called 911 and hung up or were disconnected before 911 answers. He stated 911 has to call back and determine the reason, which 90 percent of the time 911 was dialed by accident and the other 10 percent was because the person had been disconnected due to a domestic dispute or had to leave their residence for some reason. He was not able to address the increase in May.

Mr. Clatterbuck asked if 2258 abandoned calls in the month of May accurate. Mr. Basnett indicated that it was most likely a typographical error and should read either 225 or 258. He would have to check this further.

Mr. Clatterbuck said if this was an error then the percentage of increased calls may not be as high.

**d. Update regarding Arc Bridge status** – Mr. Basnett explained Arc Bridge was a grant funded program and was fully operational. He indicated he was going back to ask the support company to provide the training once again, since the training was previously incomplete due to problems with the program. Mr. Basnett indicated Arc Bridge could be presented to the Fire and Rescue Association, once training was complete, for their approval.

Sheriff Branch asked how long the training would take. Mr. Basnett advised training would take one to two days and he hoped to have training done by mid-July. He noted his goal was to have training done and submit Arc Bridge to the Fire and Rescue Association by the end of July.

Mr. Clatterbuck asked if Mr. Basnett had a review a copy of the new map. Mr. Basnett stated the map had not been run.

Mr. Clatterbuck asked if Mr. Basnett had any opportunity to explore the cost or requirements necessary for adding the two levels: Fire and EMS to the map. Mr. Basnett explained the additional layers for the map could be produced and the work would be done within CAD which would be a companion to Arc Bridge. He noted the map development was

more about the time involved to complete the project since Pam Schiermeyer is the only person who could accomplish that. Mr. Basnett felt it would take possibly a week or more of her time.

***e. [Removed] Discussion/consideration of filling vacant E-9-1-1 position.***

**New Business**

***f. Training grant award due July 1, 2009 (\$38,000)*** – Nicki Tidey explained a grant was submitted for at the state level last year for monies for training which the E-911 Center received an award of \$38,000. She stated the money would go towards providing APCO, which is the standard for 911 dispatchers and defines the minimum training standards for communication officers. Ms. Tidey noted the APCO standard was not currently being met.

Ms. Tidey said the \$38,000 would pay for the entire curriculum for all 20 positions at the 911 Center to meet the Project 33 standards which started with basic training all the way up to supervisor training, additional equipment and the cost of two instructors, which would allow for the training to be completed in-house.

Mr. Clatterbuck asked what Project 33 was and what APCO stood for. Ms. Tidey explained APCO stood for Associated Public Communications Officials, which is the same as the NFPA to the fire departments, and Project 33 was a project under APCO that provided the minimum standards for a basic telecommunicator.

Mr. Jenkins stated the current requirement was a two week basic training class and he supported this because it allowed for additional in-house training.

Mr. Basnett noted he would be coming before the Board of Supervisors on July 7, 2009 to ask for permission to accept that grant and that there was no local match required.

***g. [Removed] Discussion regarding next generation E-9-1-1 technology.***

***h. Discussion regarding end of life (2013) for the radio system*** – Mr. Culpeper explained 2013 would not be the end of radio life, but the County would need to find a way to keep dispatchers on the air and keep communications with Fire and Rescue, the Sheriff's Office, Town Police Department and other non-public safety radio systems. He advised the Board Motorola had indicated the County would need to be looking at upgrading its current system by 2013.

Mr. Culpeper advised the Board he would be speaking with Fauquier County and Rappahannock County, since Culpeper was bound with their radio systems, to discuss what Culpeper's needs are and their respective County's needs for the public safety of their citizens. He indicated Motorola would be sending an official letter by 2013 regarding upgrading the system and he hoped to have a plan in place by 2013 to present to the E-911 Board that included starting the upgrade by 2017 or 2018 and a finance plan.

Mr. Clatterbuck asked if the upgrade issue could be put on a track to apply for federal grants to help the County financially. Mr. Culpeper advised it was and he was constantly looking for grants on eCivis. He noted Fauquier County was also looking for grants and it would be important to be ready to move forward when Fauquier County was ready because the systems

were linked together.

Mr. Bossio asked if Motorola talked about the future software changes. Mr. Culpeper said he spoke with Motorola for the first time last week, but he would be meeting with them in July to obtain more details.

Mr. Bossio suggested Mr. Culpeper come to the next Board meeting to discuss Motorola's notion for the future.

Mr. Culpeper noted the changes would be with software while the infrastructure stayed mostly the same.

### **Other Business**

Sheriff Branch stated there was no other business before the Board and the next meeting would be September 17, 2009.

### **Adjournment**

With no further business, Mr. Jenkins moved to adjourn at 8:13 a.m.



- Indicates Subject with recommendation  
✓ Indicates recommendation forwarded

**PERSONNEL COMMITTEE MEETING**

**June 18, 2009**

**9:30 a.m.**

Members Present: Steve Nixon, Sue Hansohn, Steve Walker  
Staff Present: Frank Bossio, Roy Thorpe, Chasity Croson, Donna Foster  
Press Present: None  
Others Present: None  
Members Absent: Brad Rosenberger

**CALL TO ORDER**

Mr. Nixon called the meeting to order at 10:00 a.m.

**APPROVAL OF AGENDA**

There were not changes to the agenda.

**Unfinished Business**

***a. Voluntary Early Retirement Program***

Ms. Chasity Croson, Director of Human Resources, advised the Committee the suggestions and changes to the Voluntary Early Retirement Program (VERP) discussed at the last Board of Supervisors meeting had been incorporated.

Mr. Nixon asked that Ms. Croson highlight the changes for the Committee.

Ms. Croson noted the eligibility portion, on page 2, required an employee to be eligible to retire through VRS and employed with the County for 5 years. She noted #3 should state an employee had to retire no later than October 1, 2009, not 2010 and number #4 reflected a 45 percent local savings in FY 2010 rather than 50 percent, because the Board decided on a three year payout, rather than four years, which calculated to a 45 percent average in savings.

Mrs. Hansohn felt the 45 percent savings in FY 2010 would prohibit individuals from retiring because the bulk of local savings would show in the second year, especially for those positions that were state funded.

Discussion ensued regarding local savings for the County and comp board funded positions and what year the true savings would be reflected due an employee retiring.

Mr. Bossio suggested amending #4 to state 'must result in at least 45 percent local saving by year two.'

Ms. Croson asked for clarification that it would be changed to '45 percent savings within a two year period.'

Mr. Nixon stated it should read ' . . . a 45 percent local savings within a two year period from the date of retirement.'

Ms. Croson reiterated the policy would state: "Participation in the program must result in at least 45 percent local savings calculated within a two year period from date of retirement."

Ms. Croson noted under the VERP Benefit the payout was changed to three years of service from four years and that payout would be prorated based on position funding.

Ms. Croson stated the Insurance Benefit remained at \$10,500 but she amended the section to reflect the Board's recommendation to prorate the \$10,500 if the employee became ineligible to participate in the County's health insurance during the 24 month period after the effective date of retirement.

Mrs. Hansohn asked what caused an employee to be ineligible to participate. Ms. Croson explained when the employee turned 65 and qualified for Medicare.

Mr. Nixon suggested changing the policy to indicate ineligibility due to Medicare since it was the only reason an employee would be ineligible.

Ms. Croson noted there was a stipulation under the Insurance Benefit section which referred to the Medicare exception. Mr. Nixon stated it should be changed to state Medicare in #2.

Mr. Walker asked if the County calculated any sick leave. Ms. Croson explained the County had annual leave and an employee is paid for annual leave up to a maximum of 720 hours over and above the retirement benefit.

Mr. Walker asked what happened if an employee wished to return to employment after retirement and annual leave payout. Mr. Bossio explained VRS required a 30 day separation of service and the employee could only return part-time.

Mr. Nixon noted the Committee was to look at whether VERP would be available to all employees or only certain departments. Ms. Croson provided the Committee with both options, option 1 provided VERP to be available to all employees and option 2 was only available to specific departments and she provided a list of those departments.

Mr. Bossio advised the Committee he had spoken with each constitutional officer about the program and they agreed with providing the VERP to their employees.

Discussion ensued regarding constitutionals abiding by the retirement plan and contracts that were being prepared for each constitutional office for participation in the Personal Policy Management Plan (PMP).

Mrs. Hansohn asked if there were any downsides to option 1. Mr. Bossio believed there were not any downsides but he understood this be a pilot program and would not recommend option 1.

Mrs. Hansohn felt it should be offered to all employees as it was only a three month opportunity. Mr. Nixon agreed.

✓ ***Mrs. Hansohn moved, seconded by Mr. Walker, to forward a recommendation to the Board of Supervisors to approve Option 1 where the Voluntary Early Retirement Program will be available to all departments. The motion carried with all Ayes.***

Discussion ensued regarding the contract with the Constitutional Officers with regards to the PMP, opting out of the grievance process and the potential problems of a constitutional officer not signing the contract. Mr. Walker suggested the contract require the constitutional officer to opt out of a process or policy. Mr. Thorpe noted these were additional issues that would require further discussion by the Committee.

Mr. Bossio asked the Committee to determine where the final authority would rest with regards to the VERP after an application is submitted and reviewed.

Mrs. Hansohn felt if the individual met the criteria listed and the department head and County Administrator were satisfied the Board did not need to approve or see the application.

Mr. Bossio suggested the Board should be involved to ensure the program made sense and to be aware of who would be retiring.

Mr. Nixon felt the Board should have the final authority and be aware of who was retiring, especially in the event of an issue or problem.

Mr. Thorpe suggested, due to the short time period to participate in the program, that the County Administrator approve county employees and the Constitutional Officers approve constitutional employees and if the program runs into problems it could be revisited by the Board of Supervisors.

Discussion ensued regarding who should have final authority for employees requesting early retirement and if the Board would review a list of individuals retiring and when the Board would review that list due to the September 15, 2009 deadline for filing the application and the requirement to retire by October 1, 2009.

Mr. Bossio suggested a weekly report be provided to the Board of Supervisors with a list of applicants and the progress of the program.

Mr. Nixon suggested an informational report to the Board at their October regular meeting which included the list of employees who retired, administrative approvals, and what the employee chose to do allowing the Board to be aware of what happened with the program. Ms. Hansohn agreed with Mr. Nixon's suggestion. Mr. Bossio stated if the program does not appear to be working, he would report this sooner than the October timeframe.

Mr. Walker suggested approval of the application would go from the department head to the County Administrator or the Constitutional Officer to the County Administrator.

✓ ***Mrs. Hansohn moved, seconded by Mr. Walker, to forward a recommendation to the Board of Supervisors to approve the Voluntary Early Retirement Program as amended. The motion carried with all Ayes.***

### **New Business**

#### ***a. Discussion/consideration of approving Board of Supervisors (BOS) days in lieu of salary increases***

Mr. Bossio thanked the Committee for considering the BOS days last year since employees had not received raises for two years. He noted the program significantly helped morale and the work force, in general, in every sector. He reminded the Committee the Board approved payouts of BOS days for the Sheriff's Office and public safety positions last year if their job prevented them from using the BOS days. Mr. Bossio stated the program was very successful and he recommended doing it again.

Ms. Croson stated the BOS days were approved last year and in August the Board approved paying out BOS days remaining at the end of the year. She reported there would not be a payout this year because everyone used all their BOS days.

Mr. Nixon asked if the only payouts were for those employees whose jobs did not allow them to take leave. Ms. Croson stated her understanding was if an employee, due to operational requirements, was unable to use their BOS days they were paid for those days.

Mr. Bossio noted an employee had to use the BOS days before annual leave and if annual leave was used the employee was not eligible for BOS days.

Ms. Nixon felt it should be clearly stated the pay out of BOS days was for public safety employees and not open to all employees.

Ms. Croson stated she could amend the policy for FY 2010.

Mrs. Hansohn further clarified an employee in a non-critical position who does not use the BOS days will not receive a payout because the BOS days are the benefit, if the employee chooses to use them.

Mr. Bossio suggested solving the issue by putting in the reference to public safety positions. Ms. Croson clarified public safety positions included the Sheriff's Office, E-911 and EMS.

✓ ***Mr. Walker moved, seconded by Mrs. Hansohn, to forward a recommendation to the Board of Supervisors to approve the Board of Supervisors (BOS) Days program with actual payouts being limited to Public Safety employees. The motion carried with all Ayes.***

Mrs. Hansohn moved to adjourn at 10:53 a.m.

- Indicates subject with recommendation  
✓ Indicates recommendation forwarded  
\*\* Denotes corrections made at the July 23, 2009 Committee Meeting

**PUBLIC SAFETY COMMITTEE**  
**Thursday, June 18, 2009**  
**8:30 A.M.**

Members Present: Steve Nixon, Bill Chase, Steve Walker (Alternate), Tom Williams, Sheriff Jim Branch, Anthony Clatterbuck  
Staff Present: Frank Bossio, Roy Thorpe, Steve Basnett, Chasity Croson, Wayne Green, Scott Barlow, Donna Foster  
Press Present: None  
Others Present: Sue Hansohn (part of the meeting)

**Call to Order**

Steve Nixon, Chairman, called the meeting to order at 8:30 a.m.

**Approval of Agenda**

Mr. Clatterbuck requested an addition to Unfinished Business regarding payout to Company 11 for first two quarters as Item (d).

Mr. Williams requested an addition to New Business regarding the donation of Support 12 to Little Fork as Item (b).

Mr. Clatterbuck moved, seconded by Sheriff Branch, to approve the agenda as amended. Ayes all.

**Unfinished Business**

**Update on Arc Bridge Software**

Mr. Basnett advised the Committee the Arc Bridge program was now operational and all issues had been resolved. He stated he asked Arc Bridge to come back and provide the necessary training for Nicki Tidey and himself, which he hoped to have completed by early July, at which time they would run the first good map and algorithms to provide to the Association by the end of July for its review.

Mr. Nixon stated he appreciated all the work Mr. Basnett had done on Arc Bridge and said he was glad to finally see this come to fruition after the problems encountered with the software.

**Consideration re: Culpeper County Fire and Rescue Association's request for changes to the County Death Benefit Policy under eligibility guidelines**

Mr. Clatterbuck advised the Committee the Association wanted to maintain a residual \$1000 death benefit for an active member or life time member that was 80 years of age and older in order to provide recognition to those members for their years of service.

Mr. Nixon explained a proposal was made to the Association with regards to the death benefit and the Association was in agreement with the proposal other than the fact that they wanted the residual payment, which at that time the County was not sure how much it would cost

to maintain the \$1,000 residual benefit and he asked Ms. Croson to explain what would cost.

Ms. Croson advised the Committee that Ms. Lamb contacted Bolton Partners who did the actuarial and they showed the cost to the County for the additional death benefit would increase from \$14,000 by \$2,000 for a total of \$16,000 per fiscal year.

Mr. Nixon stated there was concern at the last meeting that additional benefit would cost the County a lot of money, but now fairly confident it would increase the County's costs by \$2000 on an annual basis. He asked if the Committee was now comfortable forwarding it to the Board of Supervisors.

Mr. Bossio asked if the numbers reviewed by Bolton Partners were obtained from the Association. Ms. Croson confirmed they were. Mr. Bossio noted the only problem would be if the numbers were not accurate[.]

Mr. Nixon said he felt comfortable with the figure provided and it provided a thank you those individuals who served for a long period of time.

Mr. Walker asked if the actuarial was based on the individuals' ages. Ms. Croson confirmed it was. Mr. Bossio also confirmed that was the information Bolton Partners reviewed and as long at the Association provided the correct numbers the amount should be correct.

✓ ***Mr. Walker moved, seconded by Mr. Clatterbuck, to forward a recommendation to the Board of Supervisors for approval of the amendments to Culpeper County Fire and Rescue Association's County Death Benefit Policy to include the \$1,000 death benefit for an active or life time member that is 80 years of age and older. The motion carried with all Ayes.***

**Consideration re: Culpeper County Fire and Rescue Association's request to lease space from Salem Volunteer Fire Department**

Mr. Nixon explained he asked the Board of Supervisors to bring this item back to the Committee because of a request from the Sheriff's Office for leased space for storage. He stated the New Salem Baptist Church owned the former Salem Volunteer Fire Department facility and they were willing to lease it to the County for \$1 a year and he thought Wayne Green, Training Coordinator for Emergency Services, could also have his office there, saving the County \$9,000 for the proposed lease for space at the New Salem Volunteer Fire Department provided it met Mr. Green's needs.

Mr. Nixon said he had asked staff and Mr. Bossio to find out if this arrangement would work. Mr. Bossio stated he had spoken with the Sheriff's Office and would have more in depth discussions in the next week or two. Mr. Nixon asked if the agreement was ready for consideration by the Committee at this point. Mr. Bossio noted it was not ready for consideration regarding that particular space.

Mr. Chase asked the Committee to recommend it to the Board, allow the Board to decide and hear Mr. Bossio's background report. Mr. Nixon agreed. Mr. Bossio said it could be recommended to the Board once the agreement was ironed out and asked Sheriff Branch for his input. Sheriff Branch indicated the agreement had not been completely negotiated at this time.

Mr. Clatterbuck asked Sheriff Branch if he had looked at the past utility costs for the former Salem Volunteer Fire Department facility and stated based on these and comments received it was an inefficient building to operate. He advised Sheriff Branch he had the utility costs for that facility from past years and he would like to share that information with Sheriff Branch. Sheriff Branch agreed that they should get together along with Major Lane.

Mr. Clatterbuck asked who would be responsible for maintaining the building because in the past it was the lease holder due to the lease price. He stated the building needs significant maintenance and repair, which was the Association's reasoning behind the proposed lease for the new Salem Volunteer Fire Department facility which allowed them to start with clean space

and included all utility costs.

Mr. Clatterbuck expressed concern with mixing the Sheriff's Office and Fire and Rescue activities in the same building due to the confidential nature of the Sheriff's Office activities and security issues. He asked Sheriff Branch if the storage area would need to be secure. Sheriff Branch confirmed it would. Mr. Chase stated it seemed to him the Sheriff's storage areas could be secured under lock and key.

Mr. Bossio felt it would be important to determine the difference in cost between \$9,000 lease which included utilities and the cost of utilities for the \$1 a year lease to make a decision.

Mr. Nixon stated it did not make sense to spend \$9,000 to rent another facility if a lease already existed for \$1 a year that had additional space available. He felt the lease for the new space should not be moved forward until all research had been completed.

Mr. Bossio suggested it should come back to the Committee first after all the data was reviewed before going to the Board.

Mr. Nixon suggested postponing it for 30 days to come back to the Committee with recommendations, suggestions and information.

✓ ***Mr. Walker moved, seconded by Sheriff Branch, to postpone Culpeper County Fire and Rescue Association's request to lease space from Salem Volunteer Fire Department for 30 days. The motion carried with all Ayes.***

#### **Final Payment for Company 11**

Mr. Clatterbuck stated while Company 11 was not answering calls there were expenses that were considered reimbursable. He advised the Committee he had the receipts Company 11 turned in for reimbursable expenses and he could provide the receipts or categorized amounts so the Committee would understand the necessity of the expenses. Mr. Clatterbuck explained the Association was holding an incremental amount, as well as the County. He believed Company 11 was owed approximately \$20,000+ for reimbursable expenses.

Mr. Bossio asked what amount was being held by the Association. Mr. Clatterbuck responded it was approximately \$8,000. Mr. Nixon asked why the Association was holding the amount and if it was for the first quarter when Company 11 was not in operation. Mr. Clatterbuck explained when the County made the \$146,000 payment to the Association a portion of it was attributed to Company 11 and the Association did not feel they were authorized to release any amount to Company 11 and the money was for when Company 11 was not operating.

Mr. Clatterbuck reviewed Company 11's first quarter expenses totaling \$15,768.95 and stated second quarter expenses were \$12,219.45. He noted the expenses were to keep the building open in order for them to prepare to reopen.

Mr. Chase stated Company 11 did not run calls for the first two quarters and he felt they should not be reimbursed.

Mr. Clatterbuck noted Company 11 went through a difficult time, but the building and vehicles still had to be maintained. He felt it behooved the County to support them through thick and thin. He explained Company 11's receipt had been reviewed by the Association and any inappropriate expenses had been rejected and these expenses were appropriate for reimbursement. Mr. Clatterbuck asked that this request for reimbursement be forwarded to the Board of Supervisors and noted it took \$3 for every \$1 from the County to operate volunteer fire and rescue companies.

Mr. Nixon stated Company 11 was currently doing well, but noted the County had to hire additional staff to run calls when they were not in service and he was not in favor of reimbursing them for their expenses when they were not operating. Mr. Nixon stated recognized the volunteers did a wonderful job and saved the County a lot of money, but he felt it was not fair to the other companies to reimburse Company 11.

Mr. Clatterbuck asked that the funds which were in the FY 09 budget either be given to

Company 11 for reimbursement or be used to reimburse the other companies that had unfunded expenditures.

Mr. Nixon stated he was not sure the money was still in the budget. Mr. Clatterbuck said the County was holding \$28,000. Mr. Bossio confirmed the money was in the FY 09 budget, but was not clear on the amount and would have to ask Mrs. Lamb.

Mr. Chase mentioned his concern with some comments made which led him to believe that some may think he was against volunteer fire departments and he was not. He was; however, concerned that Company 11 had hired and paid for an attorney. Mr. Chase clarified he supported all volunteers. Mr. Clatterbuck responded he, nor anyone he knew of, had made any such comment and stated Company 11's attorney was paid from Company 11's reserves but would not comment on the amount paid.

Mr. Walker asked if it would be fair to ask if Company 11 paid more for their lawyer than the reimbursement amount they were requesting. Mr. Clatterbuck felt it was not appropriate from him to discuss the cost of Company 11's lawyer.

Sheriff Branch asked if the request for reimbursement to Company 11 was a recommendation from the Association. Mr. Clatterbuck confirmed it was the Association's recommendation.

Mr. Williams asked how much Company 11 spent to meet the State's requirements for relicense. Mr. Clatterbuck indicated vehicle maintenance and repairs were approximately \$1,200 for the first quarter and training was \$74 training, but noted the majority of expenses were to keep the lights on.

Mr. Walker left the meeting at 9:00 a.m. to attend to a commitment made prior to knowing he needed to serve as alternate.

Mr. Bossio stated he was not arguing whether or not to reimburse Company 11, but wanted to point out the danger of paying the expenses when the Company was not operating for a period of time and the citizens were paying the same amount with no service provided.

Discussion ensued regarding the burden on a volunteer and the need for a sustainable funding source for volunteer fire and rescue departments along with fundraising.

Sheriff Branch felt the Committee needed to look at the impact on Company 11's future in terms of service, quality, morale and finances if not reimbursed. Mr. Clatterbuck felt morale would be impacted and it would not send a good message to Company 11 by not reimbursing them. However, he did not believe it would cause Company 11 to fold financially.

Discussion ensued regarding the need for leadership, future funding and the protection of volunteer services.

Mr. Nixon stated there needed to be standardization implemented in terms of equipment and facilities to help minimize costs to the volunteers and the County and then the County needs to do its part to fund that standardized level of equipment and service, which currently is difficult to do because Companies are doing things differently. He felt it would not be good for the County to give the reimbursement to Company 11 for time they did not serve. Further, the remaining companies took on Company 11's responsibility to keep the level of service going in the County. Mr. Nixon stated he would be comfortable giving the money to the other companies.

***Mr. Clatterbuck moved to fund Company 11 for the first two quarters.***

There was no second and the motion failed.

Discussion ensued regarding the timing of the distribution of the funds and the need for the remaining companies to provide receipts for reimbursement for equal distribution.

Mr. Nixon asked if the distribution would include Career Crew Service. Mr. Clatterbuck explained the Career Crew Service received an equal share of capital funds and these were operational funds.

Mr. Clatterbuck said he would prefer the money be divided equally between the volunteer companies because it was volunteer funds and clarified any excess funds created by a lack of

receipts would be again equally distributed among the remaining companies.

✓ ***On motion by Mr. Clatterbuck, seconded by Sheriff Branch, the Committee approved forwarding a recommendation to the Board of Supervisors that the balance of the funds available for FY 2009 for Company 11 be equally distributed, based on reimbursable receipts, to the other (Association) companies. The motion carried with all Ayes. Absent – Steve Walker***

### **New Business**

#### **Consideration re: Culpeper County Volunteer Fire and Rescue Association's request for the creation of a fire levy**

Mr. Clatterbuck explained the need for a fire levy was to identify a sustainable source of revenue that would be available to provide capital for the basic necessities and significantly reduce the fundraising burden from the volunteers. He noted many surrounding localities were getting help due to the cost of equipment and materials and the Association required a dedicated source of funds that they could count on and borrow against to obtain equipment and cover operating expenses.

Discussion ensued regarding the various Company's finances and abilities to apply for grants.

(Note: \*\* Denotes corrections made at the July 23, 2009 Public Safety Committee Meeting)

\*\* ~~Mr. Clatterbuck advised the Committee that he believed the Association would be willing to work with the County to achieve centralized purchasing and to standardize equipment and operating expenses in order to develop a fire levy.~~

Mr. Nixon felt the danger with a fire levy was a designated tax rate could be worth less money if the assessment went down and the Board may not want to increase the tax rate which would be a disadvantage to the Association. He explained currently the County reviewed the budget and figured out how much to give to the Association regardless of the tax rate which was an advantage to the Association.

Mr. Nixon felt the Association, to help the Board of Supervisors get closer to a fire levy, needed to start cooperative buying and standardization and the Board could review the expenses over a two year period to dedicate a tax rate.

\*\* Mr. Clatterbuck advised the Committee that he believed the Association would be willing to work with the County to achieve centralized purchasing and to standardize equipment and operating expenses in order to develop a fire levy.

\*\* Mr. Bossio felt the Committee needed to review ~~Mr. Clatterbuck's~~ the Association's numbers and project them into the future because it would become an extraordinary problem in the next few years. He felt the first step was standardization for equipment and costs, then how to acquire those items and then could derive a mill rate.

Mr. Steve Walker returned at 9:30 a.m.

Discussion ensued regarding the need for a dedicated revenue stream to help take pressure off the Companies and the concern with the length of time it would take to have a dedicated revenue stream while trying to accomplish cooperative buying and standardization process.

Mr. Nixon felt the Board would be more amenable to implementing a levy if the Association and County would show their willingness to work together and standardization was progressing.

Mr. Clatterbuck felt if the concept of the project was not forwarded there would be no measurable way to track the progress or find out what the County would like to see and what the Association would need to do to make it acceptable to the County.

Mr. Nixon suggested research should be done by Staff with Mr. Clatterbuck to come up



with suggestions and a strategy to be brought back to the Committee in order to move forward.

Mr. Bossio suggested he, Mr. Clatterbuck, Alan Culpeper and Tom Williams meet as a group and come up with some concepts to bring back to the Committee regarding standardization and long range plans.

#### **Support 12 Donation to Little Fork Fire and Rescue**

Mr. Williams stated he was prepared to make a recommendation regarding Support 12. He noted the usage and necessity of the unit had been reviewed and it was determined that there is a need in the County for an offensive approach to hazardous material response and that the unit would be maintained as it is today, but Company 1 could no longer house and maintain the unit once their new squad truck arrived.

Mr. Williams recommended, after discussions with Doug Monaco of Company 9, to donate the vehicle to Little Fork and they had agreed to maintain the unit as a hazardous material response unit and use it for vehicle extrication. Company 9 would provide the extrication equipment, and the hazardous material equipment would remain on the unit, as well as a generator.

Mr. Williams stated Mr. Monaco requested title to the vehicle.

Mr. William indicated Little Fork had a good response record and believed they would be able to maintain the unit.

Mr. Nixon asked why they would want the unit at the farthest northern location from the where it would be likely used. Mr. Williams stated the decision was due to Little Fork's excellent response record and there was adequate time for them to respond to a scene.

Mr. Nixon asked if Company 9 was qualified to do Hazmat response. Mr. Williams confirmed they were qualified at the operational level to assist and the concept would remain the same as it has been.

Mr. Nixon asked why the career staff was not running the unit and housing it in Town at the career station. Mr. Williams explained the career staff was tasked with EMS work and manning two ambulances and no extra staff to man the unit.

✓ ***Mr. Williams moved, seconded by Mr. Chase, to forward a recommendation to the Board of Supervisors to approve the donation and transfer title of Vehicle Support 12 to Company 9, Little Fork Fire and Rescue.***

Mr. Walker asked for the purpose of the title transfer and if there were positive or negative issues for the County. Mr. Williams said there were no positive or negative issues and the money spent by the County for maintenance of the vehicle came from the taxpayers. He noted Mr. Monaco made the request so it would be Company 9's vehicle and not subject to being relocated 5 or 6 years from now since they wanted to use it for vehicle extrication.

Mr. Bossio stated it would be cleaner for the County to transfer the title in terms of insurance and maintenance liability.

Mr. Bossio asked for the value of the vehicle. Mr. Williams responded it was approximately \$30,000 to \$35,000.

Mr. Clatterbuck noted the Association supported the request for the title transfer.

***The motion carried with all Ayes.***

#### **Other Business**

**Offer from Tony Troilo, Rosson & Troilo, to provide heavy vehicle extrication and hazmat abatement services to the County of Culpeper**

Mr. Clatterbuck advised the Committee that Tony Troilo, Rosson & Triolo, had offered to assist all of the County Fire Departments with heavy vehicle extrication because he has cross-certified heavy vehicle extrication and fire fighters that work for his towing company as well as

offering to assist with Hazmat abatement at no charge to the County.

Mr. Clatterbuck explained Mr. Troilo offered to provide the service within the towing rotation at no charge and would be available any time the County needed his services. Mr. Clatterbuck noted the Association approved the offer unanimously and he recommended the Committee endorsed the same and implement it as quickly as possible.

✓ ***Mr. Clatterbuck moved, seconded by Mr. Chase, to forward a recommendation to the Board of Supervisors to accept the offer of Tony Troilo, Rosson & Troilo, to provide all Culpeper County Fire and Rescue Departments with heavy vehicle extrications and hazmat abatement services free of charge.***

Mr. Walker asked if the Towing Committee had any thoughts concerning the offer made by Mr. Troilo with regards to the rotation. Sheriff Branch advised he would have to meet with the Towing Board and noted concerns may be raised by the other towers.

Mr. Clatterbuck explained Mr. Troilo specifically stated he was coming to help the Fire Departments and if he was not next in rotation or another tower was specifically requested he would leave the scene and there would be no charge. Sheriff Branch stated the problem would be if another tower saw this as a conflict or problem.

Mr. Williams asked if Mr. Troilo would do the abatement of hazardous material. Mr. Clatterbuck explained Mr. Troilo would assist and has the ability to pump out tanks on the tractor trailers and was willing to provide the service for free. He noted the County currently did not have the ability to provide the services Mr. Troilo was offering..

Mr. Walker asked for feedback from the Towing Committee to be presented at the Board level. Sheriff Branch asked if Mr. Troilo would be at the scene as a company or as an extension of the fire department. He felt this offer was not as simple as stated and felt it could cause problems.

Mr. Chase stressed that no other individual was capable of the offering the service Mr. Troilo was offering.

***The motion carried with all Ayes.***

#### **Contract between the Culpeper County Fire and Rescue Association and Culpeper County**

Mr. Clatterbuck announced the Association had prepared a renewed contract for the County as requested over a year ago and it was currently being circulated. He hoped to have it ready for the County's review shortly.

Mr. Nixon indicated it should be provided to Roy Thorpe, County Attorney, for review first and then it would be presented to the Committee.

#### **Adjournment**

The Committee adjourned at 9:54 p.m.

- Indicates subject with recommendation  
✓ Indicates recommendation forwarded

**PUBLIC WORKS COMMITTEE**  
**Wednesday, June 10, 2009**  
**11:00 a.m.**

Members Present: Sue Hansohn, Larry Aylor, Tom Underwood  
Staff Present: Frank Bossio, Paul Howard, Donna Foster  
Others Present: None  
Members Absent: None

**Call to Order**

Mrs. Hansohn, Chairman, called the meeting to order at 11:15 a.m.

**Approval of Agenda**

There were no changes to the agenda.

**New Business**

***a. Consideration of appropriating \$300,000 received from Centex Homes to purchase equipment to support water and sewer utility services.***

Mr. Howard advised the Committee Centex agreed to pay for the construction of all wastewater and water plants and infrastructure as part of the 2005 Water and Sewer Agreement with Centex. Centex also agreed on additional funding of \$300,000 which was intended to purchase equipment to support the water and sewer utility at Clevenger's. Mr. Howard explained the intent was to purchase trucks and/or backhoes or other equipment that would be needed to work on the sewer and water system. Centex paid the \$300,000, which is currently in the bank, and Mr. Howard stated he was requesting the Board appropriate the money in order for Environmental Services to start purchasing equipment. He advised the Committee that Environmental Services wished to purchase a utility truck with a frame on it and a small backhoe/skid steer to start work at Clevenger's and noted the equipment could be used at all of the water and sewer service locations. Mr. Howard said Environmental Services spent \$30,336 for contract services last year doing the type of work that could be done with the equipment to be purchased. Mr. Howard noted the equipment to be purchased would be used equipment.

Mr. Underwood asked why the full \$300,000 was being appropriated when the two items mentioned in the used market did not cost \$300,000. Mr. Howard responded it would cost approximately \$100,000 for the two pieces of equipment, but there was other equipment to purchase.

✓ ***Mr. Aylor moved, seconded by Mr. Underwood, to forward a recommendation to the Board of Supervisors to appropriate \$300,000 received from Centex Homes to purchase equipment to support water and sewer utility services.***

Mr. Aylor asked if the skid steer with the backhoe was typically used for that application. Mr. Howard explained most of the water and sewer lines dealt with were less than eight feet, and Environmental Services determined a skid steer would be the most versatile since other attachments could be purchased, as opposed to a full backhoe.

Mr. Aylor suggested a mini-excavator and a backhoe would be money better spent and spent efficiently, especially if there would be a great deal of excavation involved. Mr. Underwood agreed with Mr. Aylor's suggestion.

Mrs. Hansohn asked Mr. Aylor to clarify he was suggesting Environmental Services purchase three pieces of equipment. Mr. Aylor confirmed.

Mrs. Hansohn asked Mr. Howard if he would like to appropriate a certain amount of money to purchase the equipment per the suggestions. Mr. Howard stated based on the discussion he would like to obtain prices and bring a dollar figure to the Board of Supervisors at the next meeting if the Committee did not want to just appropriate the entire \$300,000.

Mr. Bossio stated the \$300,000 was earmarked specifically to buy equipment and he suggested appropriating the entire amount and what Environmental Services did not spend be put back into the account.

Mrs. Hansohn asked if Mr. Howard would need more money to purchase other equipment and if they could do that within the \$300,000. Mr. Howard advised there was more equipment to purchase and he felt it could be purchased within the \$300,000.

Mr. Bossio felt they could purchase used equipment for much less with the number of organizations downsizing and selling equipment. Mr. Aylor suggested contacting Bobcat. Mr. Howard advised he was in touch with Bobcat, as well as, GSA and Federal surplus.

Mrs. Hansohn asked if the money should be appropriated now in order for Environmental Services to purchase the equipment and not have to keep coming back. Mr. Underwood noted that the Committee in the discussion on the issue had given direction and he believed Mr. Aylor's motion to forward a recommendation to the Board for appropriation of the \$300,000 should be voted on.

***The motion carried with all Ayes.***

***b. Consideration regarding draft Hydrant Meter Permit Policy for the Culpeper County Water and Sewer Authority.***

Mr. Howard introduced the Committee with the draft Hydrant Meter Permit Policy. He explained it outlined how hydrant meters would be used and advised they were used a lot during the construction phase of projects and noted some water haulers would like to use them. He explained it was a portable meter that a contractor or hauler would obtain from the County in order to fill their trucks, equipment or use during the construction process.

Mr. Howard noted the policy was modeled after the Prince William County Service Authority Policy and it explains how the meters are to be used, what the requirements are, how the County will read the meters, what the County's expectations are, and the billing process and there is a

meter permit they will have to obtain from the County with a rate schedule attached.

Mr. Howard explained if the Committee did not have any questions regarding the policy it would be presented for adoption at the next meeting of the Water and Sewer Authority. He stated this policy was not included in the revised standards that were adopted several years ago and would help those like Terremark on construction projects.

Mrs. Hansohn noted this item was for discussion purposes only and did not require a motion for approval. Mr. Howard confirmed it did not require a motion since it was not going to the Board of Supervisors but to the Culpeper County Water and Sewer Authority for approval and a meeting of the Authority would be scheduled in July or August to adopt this policy.

Mr. Aylor noted his support for the policy because of the burden created on a project when there was no access to water.

**c. *Update on the County's request for proposals for Professional Engineering Services for Water and Sewer Line Extensions***

Mr. Howard updated the Committee with regards to the request for Professional Engineering Services for the Water and Sewer Line Extensions and stated it was advertized on May 29, 2008. He noted the pre-proposal meeting would be on June 11, 2009 for engineering services to design the water and sewer lines extensions previously discussed within the Town environs. He noted the proposals would be coming back to him on June 23 and there was an evaluation committee set up to evaluate the proposals. He said the intention was to bring the proposals before the Board of Supervisors at the August meeting to be awarded. Mr. Howard noted \$500,000 was already appropriated from the FY 10 budget for engineering services.

Mr. Underwood asked if Mr. Howard had received any inquiries to date. Mr. Howard stated he had received many and was expecting a big turn out.

**d. *Discussion regarding revisions to the Culpeper County Water and Sewer Authority Standards***

Mr. Howard explained in 2005 the Authority adopted the Water and Sewer Design Standards and since they were adopted he and Chris Hively had been working on them and had made technical revisions focusing mainly on general areas. He noted the revisions did not include any policy decisions. They focused on the structure of the standards by consolidating a couple of chapters in the water and sewer section and also included major technical changes on the meter list, remote read meter systems and changes suggested by the Health Department. He noted once the Health Department had approved the standards the County could perform in-house reviews for water and sewer lines up to ten inches rather than hiring contractors.

He noted there was a hard copy and electronic copy available and asked the Committee how to proceed. Mr. Underwood suggested the electronic copy be e-mailed to the members of the Water and Sewer Authority stating a paper copy was available and for those members who did not often read their e-mail have the Deputy Clerk contact them to notify them a paper copy was available.

**e. Discussion of Solid Waste Convenience Center Operations**

Mr. Howard discussed the purchase of a roll off truck to use at the Landfill Convenience Center in Lignum and for the recycling center. He explained roll off and recycling work was currently contracted out.

Mr. Underwood asked about the cost of the contract and the number of trips. Mr. Howard stated the County spent \$123,700 for approximately 1000 trips and it was billed per container, per pull which could be 4 to 8 times a day for the containers at Lignum and 6 to 8 times a week for recycling with prices varying from \$40 to \$105 each time a container is dumped.

Mr. Aylor asked who would operate the roll off truck. Mr. Howard said there were four employees who had their commercial driver's license and the intent was for the two employees at the landfill to empty the convenience cans and recycling. Mr. Howard explained the truck would also be used as a vacuum truck for hauling our sludge, which the County spent \$34,000 last year to haul sludge.

Mr. Aylor asked if the County's insurance covered it. Mr. Howard noted other than insuring the vehicle there was no additional liability insurance required.

Mr. Howard advised the Committee \$152,400, in total, was budgeted in FY 10 for the pump and haul of sludge and for the recycling and roll off transportation and estimated a cost of \$214,000 to cover the roll off truck, the vacuum truck body and all of the recycling cans, which would all be used.

Mr. Underwood noted his surprise at some of the prices, especially for the open containers at \$5,000. Mr. Howard explained the container prices were for new containers based on Fairfax County prices and he intended to purchase used containers which should cost less than \$5,000.

Mr. Howard said if the Committee supported the purchase of the truck Environmental Services would use \$152,400 already in the budget for contract services to purchase the equipment and the balance of \$70,000 would come out of the Convenience Center CIP for the purchase of containers for recycling and the landfill. Mr. Howard stated the County would save \$90,000 next year and going forward. The operating costs projected were \$30,000 to maintain the truck and no new personnel was required.

✓ ***Mr. Underwood moved to forward the request to purchase a roll-off truck with vacuum truck body and roll-off containers for the Solid Waste Convenience Center operations to the Board.***

Mr. Underwood believed there would be questions from the Board because of the proposal to purchase capital equipment in the current environment and going from outsourcing to in-sourcing.

Mr. Aylor noted his support given the data showed there would be a \$90,000 savings and felt there should be follow up next year to ensure it was operating as predicated, but did express concern with not outsourcing. Mr. Howard explained the problem with outsourcing was the ability to control access to containers and when they were dumped.

Mr. Underwood said he would like the Committee to receive a report in a year concerning the fiscal impact to determine how well it was working.

***The motion carried with all Ayes.***

Mrs. Hansohn noted she appreciated these types of solutions and the departments looking into ways to save money long term even if there was an investment required up front.

**Adjournment**

Committee adjourned 11:40 p.m.

- ➔ Indicates subject with recommendation  
✓ Indicates recommendation forwarded

***Town/County Interaction Committee Meeting  
Wednesday, June 24, 2009  
7:30 a.m.***

***Board of Supervisor's Meeting Room***

County Members Present: Tom Underwood, Steve Walker, Steve Nixon  
Town Members Present: Steve Jenkins (left at 8:31 a.m.)  
County Staff Present: Frank Bossio, John Egertson, Paul Howard, Bob Orr, Carl Sachs, Donna Foster  
Town Staff Present: Jeff Muzzy, Chris Hively, Wally Bunker  
Others Present: Sue Hansohn  
Members Absent: Duke duFrane, Billy Yowell  
Press Present: None

**CALL TO ORDER**

Mr. Underwood called the meeting to order at 7:32 a.m.

**AGENDA APPROVAL**

Mr. Nixon moved, seconded by Mr. Walker, to approve the agenda as presented. The motion carried with all Ayes.

**UNFINISHED BUSINESS**

**Town Items:**

**Proposed expansion of Lake Catalpa and integration with the Outer Loop construction project** - Mr. Egertson explained the Outer Loop and Lake Catalpa were related issues, but he would start the discussion with the Outer Loop.

Mr. Egertson provided the Committee with a funding summary for the Outer Loop. He said the estimated cost of the project provided by VDOT was \$10,448,00, which was a reduction from the last estimate. He noted the total available money, including Town funding, exceeded the cost estimate of the project.

Mr. Egertson introduced Brent Sprinkle of VDOT to talk about the status and schedule of the project.

Mr. Sprinkle, Assistant District Administrator for Engineering in Culpeper, advised the Committee VDOT would begin the formal engineering process from a design perspective. He stated there would be a scoping meeting in September, which would include Town and County individuals, as necessary, along with VDOT officials, to review the alignment and any issues. He said the surveyors had begun work that should be completed by June, 2010 and the next phase was design work and that would go to public hearing in early 2012. Mr. Sprinkle stated if funding was in place, then the rough schedule after the 2012 public hearing would be right of way acquisition in early 2013, advertisement, and then begin construction in late 2014 to early 2015 depending on the construction season and weather.

Discussion ensued regarding the proposed schedule and the ability for the two local governments to advance the proposed schedule. Mr. Sprinkle advised the Committee that VDOT could possibly precede through the process more quickly if VDOT knew the funding was available and more would be known after the September meeting.



Mr. Egertson confirmed all monies by the County had been paid to VDOT and he believed the same to be true for the Town. Mr. Bossio and Mr. Sprinkle discussed the legislative move to change revenue sharing.

Mr. Jenkins commented he believed the formal commitment of funding was already approved and he thought this should expedite the project. Mr. Sprinkle advised the Committee that VDOT would do everything it could to shorten the time frame, but some of this would depend on securing the right of way and utility work. He stated the right of way process would be started and then there would be utility work required prior to going to advertisement. He said anything done in advance to help VDOT with the right of way acquisition would be the most helpful and the quicker VDOT knows about any other planning decisions, the sooner VDOT could incorporate that into the design feature.

Mr. Nixon said the loop is needed as soon as possible and encouraged expediting the construction of the road.

Mr. Underwood asked what the earliest date of completion would be for the Outer Loop. Mr. Sprinkle said it should be ready for traffic in early 2016 based on the tentative schedule and providing for 18 to 24 months construction time.

Mr. Walker asked when the County would know where the right of ways would be needed. Mr. Sprinkle said VDOT would know after the public hearing for design which was tentatively on the schedule for March 2012. Mr. Underwood asked if there was anyway to advance the public hearing schedule. Mr. Sprinkle stated he would know more after the September meeting.

Mr. Muzzy noted the Town is looking at various projects and had invited VDOT to its committee meeting on June 29. He stated he would pass along the points discussed by the Interaction Committee to the Town's committee.

**LAKE CATALPA:** Mr. Egertson presented the Committee with a map of Lake Catalpa outlining its current elevation, the elevation if raised a foot and a half, and the flood elevation. He explained Lake Catalpa would be under the Outer Loop alignment if raised a foot and a half and said he had spoken to Mr. Sprinkle about VDOT designing the road to accommodate the expansion.

Chris Hively, Director Environmental Services, explained raising Lake Catalpa a foot and a half would increase the safe yield to .34 million gallons per day and there were outstanding questions as to whether or not this would affect the probable maximum flood elevation.

Mr. Underwood asked what the cost would be to raise the Lake. Mr. Hively said it would depend on whether or not work had to be done to the emergency spillway or raising the dam or simply raising the level.

Mr. Nixon noted Lake Catalpa was not owned by either the Town or County and asked if it was premature to discuss its expansion. Mr. Hively stated the Town owned capacity in the Lake, but agreed there might be no authority to raise the Lakes level.

Discussion ensued regarding the process required for the Town and County to obtain ownership and/or recreational use. It was noted it may be better to own the Lake before raising the capacity and the only way to pursue this would be to initiate discussions with the owner.

Mr. Walker asked about the cost of running a pipe from the Lake to the Town's water plant, what the County could do to help that process and if this option made the most financial sense. Mr. Hively responded the 2004 report estimated the cost at \$1.3 million, not including right of way costs and indicated raising Lake Catalpa was one of the more expensive options, but noted there were other benefits to having a source like the Lake.

Mr. Walker asked about the other options. Mr. Hively listed the options as follows: raising Lake Pelham 2 feet with a cost per million being \$300; dredging Lake Pelham to a safe yield of .4 million gallons per day with a cost of \$800 per million gallon; increase VDOT quarry safe yield to .7 million gallons per day with a cost per million of \$100; increasing Mountain Run capacity by .7 million gallons per day with a cost per million of \$20, which he noted a contract was awarded this past month.

Mr. Hively further explained it was believed there was 900,000 gallons of groundwater with an estimated cost of \$100 million per gallon and the construction of a new reservoir with a safe yield of 4.3 million gallons per day at a cost of \$300 per million gallons. He noted the reservoir was a large and expensive project, and should be looked at for a long-term solution, but the Town and County needed to look at short-term solutions to bridge the gap.

Mr. Bossio asked Mr. Hively if he was of the opinion that groundwater-supplementing impoundments still had some value and if investigation should continue into groundwater Mr. Hively confirmed that was his opinion and the Town was looking into groundwater options.

Mr. Walker asked to hear from Mr. Sprinkle on how it would impact the road plans to expand Lake Catalpa. Mr. Sprinkle said VDOT was aware of the possible expansion and VDOT would take it into consideration when setting grade and doing the design work for the road. He noted there could be additional costs for the construction because of the different materials that may be needed and could not provide a cost estimate.

**Report re: County Schools Use Policy and Fees (use of building by sports teams)** – Mr. Bossio advised the Committee that he provided the members with the Policy for Use of Culpeper County Public School Facility outlining fees, rules and rate schedules. He noted at the last Committee meeting the staff had been provided 60 days to provide a more thorough report on this matter.

Mr. Jenkins suggested the Committee should postpone the issue for 30 days so everyone could review the policy.

Mr. Bossio indicated John Barrett, Director of Parks and Recreation, was invited to speak about his experience with the school if anyone would like to hear from him. Mr. Nixon asked to hear from Mr. Barrett.

Mr. Barrett said there was a good relationship with the school and there was access to the new high school on an ongoing basis. He explained during the school year the space was occupied by youth associations and other athletic activities preventing the County from using the facilities. He noted adult activities were scheduled later in the day on weekdays or on the weekend and the weekend was when costs were incurred for usage. He further noted he was limited by how much he could stretch staff members for supervisory work.

Mr. Nixon asked if the County paid the school for use of the facilities. Mr. Barrett confirmed the County did pay on weekends, but eliminated the cost of air and heating by not using it.

Mr. Walker asked about the use of other school facilities besides Eastern View High School. Mr. Barrett indicated other schools were used for their classrooms because their gymnasiums were not big enough for the activities held.

Mr. Nixon felt it was odd for the County to pay additional fees to use the facilities when the County already paid for the school system buildings and staff. Mr. Underwood disagreed and stated there was a policy in place and felt it was good accounting.

Mr. Jenkins said his intent in bringing the issue to the Committee was to provide staff with the ability to negotiate which they could not do with the current policy. He

believed the discussion next month would be beneficial and should include whether or not there were other opportunities for using other school facilities and he was concerned about how the rates were set and established.

Mr. Jenkins stated he would like to see a plan where the schools were used to their fullest extent all year and based on the community's need.

Mr. Nixon asked Mr. Barrett if his needs were currently being met. Mr. Barrett confirmed they were at this time.

Mr. Bossio asked if the school's used the park and sports complex and if they were charged fees. Mr. Barrett stated the County did not charge the school for use of those facilities.

Discussion ensued regarding the issue of the County's soccer fields and the current status of a solution.

Mr. Underwood thanked Mr. Barrett for his report.

**County Item:**

**Combination/Joining of Town and County Planning & Zoning and Parks & Recreation** - Mr. Egertson provided a memo to the Committee members providing his initial thoughts on the issue of consolidating Planning & Zoning and Parks & Recreation, but explained he had not spoken to Town staff.

Mr. Egertson felt a true consolidation of the two offices would be difficult because of proximity, two different governing codes and the way state laws treat the Town and County differently.

Mr. Egertson explained the memo was geared towards streamlining the process which the Town and County could accomplish together without being in the same office. He specifically outlined three ideas: 1) letting applicants for business licenses know the required signatures from the County and Town need to be obtained in the order they appear or have the document electronically circulated to save the applicant multiple trips; 2) certificates of occupancy which require a signature from Town Zoning the building official be e-mailed between the Town and County; and 3) building and zoning permit issue for smaller projects where the applicant has to start in Town for the zoning permit and building office for the building permit, the Town office could keep the building permit applications packages at their office and hand them out to applicants to prevent multiple trips.

Mr. Egertson felt Town and County Planning & Zoning offices already had a good process in place but simple process improvements could solve many issues.

Mr. Underwood thanked Mr. Egertson for his memo. He felt having Planning & Zoning and the Building Department in one space was more beneficial than being in the same space as administration and felt there would be more efficiency with having one GIS system and building code.

Mr. Jenkins felt it would be beneficial for someone from the Town to speak with Mr. Egertson regarding the issue.

Mr. Muzzy advised the Committee that Town Council did take up the issue of consolidation between the Town and County at their last meeting and Council decided to discuss the issue at their retreat, which may be held in the fall. Mr. Jenkins agreed the Town portion was still missing on possible streamlining and he felt there were many ways for the Town and County to work together on this. He suggested an opportunity was needed for Mr. Muzzy to get with the appropriate individuals and put something together.

Mr. Underwood suggested the issue needed to be separated into two topics: 1) streamlining, and 2) true consolidation. Mr. Underwood felt it was a prime time to

consider the matter and for the Town to fill positions that could be eliminated was not an ideal solution. Mr. Muzzy said he needed to staff to run the functions.

Mr. Nixon clarified he initially brought up the issue because there were two separate departments doing two separate functions for the same community and he felt this was counterproductive. He said the two departments needed to put together a comprehensive plan for the community. He felt the process should be streamlined immediately and in the future combine the departments to work towards a common function and purpose.

Mr. Jenkins noted the issue was brought up months prior and he did not believe it should wait until Town Council had its retreat because this Committee had forwarded a recommendation to their respective bodies. He suggested Mr. Muzzy and Mr. Bossio should get together to discuss the issue.

Mr. Bossio proposed allowing them 60 days to put together a process flow chart showing how the process currently works and the areas susceptible to consolidation or streamlining. He felt streamlining could be completed at the staff level, but consolidation issues would have to be acted upon by the Committee and forwarded to the governing bodies. Mr. Muzzy agreed staff could deal with the streamlining process.

Mr. Nixon said his concern was 60 days had already passed with no progress and now there would be an additional 60 to 90 days.

Mr. Bossio responded discussions had not been had with Town regarding the issue and the Town had lost personnel over time leaving no one to speak to regarding some of the issues.

Mr. Underwood stated this was the first official notice that the Town's response was that it would wait until after its retreat to respond.

Mr. Jenkins left the meeting at 8:31 a.m.

Mr. Underwood raised concern with the lack of Town members at the meeting and asked the Committee if the remainder of the agenda should be postponed. Mr. Walker felt if Mr. Muzzy was still representing the Town and if he was not comfortable answering on behalf of the Town he certainly could indicate this.

Mr. Nixon reiterated his concern that when the consolidation/combining of departments issue was discussed 60 days ago the Committee asked staff to look at the possibilities and nothing had taken place. He felt the Committee needed to agree to drop the issue or move forward.

Mr. Walker noted the staff issue at the Town and he felt this was a good opportunity to discuss true consolidation. Mr. Walker liked the idea of having a Town and County shared vision and shared planning, which should improve the Town and County's relationship, as well as benefit the community as a whole. He noted in the past the Town and County had a joint Planning Commission and questioned if there had been shared staff as well. Mrs. Foster, former Town Clerk, recalled the Town and County having a joint zoning administrator in the 1970's timeframe.

Discussion ensued regarding the history of Planning & Zoning.

## **NEW BUSINESS**

### **Town Item:**

**Potential savings through health insurance consolidation** – Mr. Underwood asked Mr. Muzzy if he would like to continue or postpone this discussion since there were no members of Town Council present.

Mr. Muzzy said if there was an opportunity for savings by consolidating health insurance he felt the Town and County should explore the issue.

Mr. Bossio noted the issue had been explored approximately 8 years ago and felt there should be a casual conversation regarding the issue and when Town Council was ready it could be discussed further.

Mr. Underwood noted Mr. Coleman asked for this item to be on the agenda for the meeting.

Mr. Walker asked if staff could address the issue. Mr. Bossio confirmed he and Mr. Muzzy would look at the issue and felt there may be options that would be beneficial for discussion. Mr. Muzzy agreed.

**Economic Development Report – Carl Sachs** – Mr. Sachs explained he provided a report to Town Council every quarter. The next report would be given on the second Tuesday of July and he would brief them at that time on economic development issues.

**PENDING ITEM**

**Update on the Town and County positions on Boundary Adjustment and Draft Regional Water and Sewer Authority Agreement** – Mr. Underwood asked if there had been any discussion amongst staff regarding a date for the next meeting.

Mr. Bossio said he and Mr. Muzzy had one discussion already and were ready to include two additional staff members. He explained the plan was to have monthly meetings beginning in July to start a plan of action and provide milestones to the Board and Town Council. He said they would provide a date certain for the Board and Town Council to review the plan of action and suggested milestones.

Mr. Underwood asked when the two elected bodies would have this meeting. Mr. Bossio anticipated a meeting being scheduled in mid-July.

Mr. Muzzy indicated he would be speaking to the Water and Wastewater Committee next week and he would get feedback from that Committee.

**ADJOURNMENT:** Mr. Walker adjourned the meeting at 8:43 a.m.

**TRANSPORTATION IMPACT FEE  
COMMITTEE MEETING  
June 15, 2009  
2:00 p.m.**

Committee Members Present: Larry W. Aylor, Chairman, Kenton Dunn,  
Walter Cheatle

Committee Members Absent: Francis X. Toomey, John Coates,

Staff Present: John C. Egertson, John G. Cooley, Grace Lowe

- Mr. Aylor called the meeting to order at 2:12 p.m.
- Mr. Aylor asked if there were any additions or deletions to the agenda.

Mr. Dunn made a motion to accept the agenda as presented. Mr. Cheatle seconded the motion and it passed unanimously.

Kenton S. Dunn	aye
Walter Cheatle	aye
Larry W. Aylor	aye

- Mr. Aylor asked for a motion to the May 18, 2009 minutes. Mr. Cheatle made a correction to page 2, second full paragraph, and second line to read **there was approximately 1.2 million dollars**. Mr. Cheatle made a motion to approve the minutes with the correction to page 2. Mr. Dunn seconded the motion and it passed unanimously.

Kenton S. Dunn	aye
Walter Cheatle	aye
Larry W. Aylor	aye

- **Review of Revised Transportation Impact Fee Documents**
  - A. Comprehensive Plan Amendment**

Mr. Cooley said that in the Committee's packages was a Study Guide, and Appendix B of the Study Guide is the updated Comprehensive Plan Amendment. This is the same Comprehensive Plan amendment that we submitted for review by the Planning Commission and review by the Board of Supervisors in December 2008 with very few changes. The majority of the changes deal with the changes in the priority projects and the reasons why we have changed our priority projects.

Mr. Cheatle asked a question about the revenue sharing funds for priority project number 1, the Western Outer Loop.

Mr. Cheatle asked if the funds available include the Revenue Sharing Funds that the Town had previously committed to the Outer Loop. Mr. Cooley said that those Revenue Sharing Funds are part of the Outer Loop. The entire 1.4 million dollars goes to the Outer Loop, it is not used for any of the other two projects.

Mr. Cheatle referred to the cost of the Outer Loop and asked if that includes purchasing the right-of-way or having it dedicated by the current landowners. Mr. Cooley stated that the 10.4 million dollar estimate does include the purchasing of the right-of-way from the current landowner.

**B. Impact Fee Ordinance**

Mr. Cooley said that this Committee has reviewed the Impact Fee Ordinance one time and have made four changes to the ordinance. He explained that he previously took the draft ordinance provided by the State, incorporated some Committee input and had the County Attorney put it in a format that needed to be reviewed and approved by the Board of Supervisors. He explained that there are four changes to the ordinance. Mr. Cooley went over those changes.

**C. Impact Fee Schedule**

Mr. Cooley said he included in the Committee members' packages two different fee schedules. The first one is titled "Transportation Impact Fee Schedule for the Incorporated and Unincorporated Areas of Culpeper County, Virginia. Based on the analysis, if we included both the Town and the County based on population and growth rates for housing and commercial, the impact fee would be \$431.64 per single family dwelling or per 10 trips as identified by the ITE in the Traffic Engineers Manual. The second schedule is for the unincorporated areas of the County only, and the impact fee would be \$720.16.

Mr. Aylor asked why we would not include the Town. Mr. Cooley replied that this is another point of information to show the difference.

Mr. Cheatle said that in previous discussions it was determined that we would seek the Town's agreement. Mr. Cooley said that we have reached out to the Town but to date there has not been a definite reply from them.

Mr. Dunn said that the Town staff is in flux due to the loss of some staff members.

Mrs. Hansohn asked if the Town must be in agreement. Mr. Cooley stated that he talked to the County Attorney, Mr. Thorpe, who said that if the State Code does not

specifically grant a jurisdiction a way to opt out of code, the County can move forward with imposing it. There would be no negative impact to the Town by imposing this.

Mr. Cooley referred to a previous question asked regarding what would happen to the money if a road does not get built. He said that one of the ways that the code allows us to use the money is to put it in the Six Year Secondary Construction Program. We would need to identify what is collected in Town, and what is collected in the County. If the money is not allocated to a priority project, money collected from County residents could be used to further a project on the Six Year Plan and money collected from Town residents could be used in Town to aid in the Town's Urban Construction Program.

**D. Impact Fee Study/Methodology**

Mr. Cooley explained how he moved forward with the study. He said that he used Weldon Cooper for population estimates and projected that forward with the population growth to the year 2028 and he explained further. He said that he also accessed the Commissioner of Revenue's database and he explained this in detail.

Mr. Dunn asked if these are the types of details that we will be presenting to the Board of Supervisors in a work session.

Mr. Egertson felt that we should start the work session with a power point presentation which provides a clearer and more planned out presentation. The presentation would enable the Board to better understand what projects are being proposed, what the fee is and all the summarized details. In the event that the Board requests more information Mr. Egertson said he could walk them through the Comprehensive Plan, the Ordinance and the Fee Schedule and tell them what is in this study in an organized manner.

Mr. Aylor suggested putting tabs in The Transportation Impact Fee Study for easier access to specific sections of the study.

Mr. Cheatle referred to page 11 and asked for clarification on how Mr. Cooley came up with the total existing and projected service units. Mr. Cooley referred to pages 9 and 10 and he explained in detail.

**➤ V. Update Regarding Town Participation**

Mr. Egertson stated that Mr. Hill did reply shortly after the June Committee meeting saying that he had started to look into the matter and would discuss it with the Town attorney. He said that he immediately e-mailed Mr. Hill back and told him that he would like the opportunity to get together with him and explain the study to him before



he met with the Town attorney. He said that he did not receive a reply to that e-mail but we will continue to keep everyone informed.

Mr. Cheattle felt that the Town Council is unaware that this Impact Fee Study is being conducted. He questioned whether it would be beneficial for members of the Board to talk with members of the Town Council to make them aware that this is coming.

Mr. Egertson said the more aware that the Town is the better it is going to be. This would inform the Town staff of a fee that will be collected upon issuance of a Building Permit. Town citizens need to be aware of this fee, as does Town Council and staff, if it is implemented.

Discussion ensued regarding whether this should go on the next Town/County Interaction Committee.

Mr. Egertson said he would want to make sure that Mr. Bossio and Mr. Muzzy are in agreement with this going before the Town/County Interaction Committee.

Mr. Egertson said that he liked the approach of going to the Town staff first. Depending on what the final action of this Committee is today, that this matter could be discussed with the Board of Supervisors at the work session.

➤ **VI. Review of Impact Fee Presentation**

Mr. Cooley said that he received some comments from Mr. Toomey and that he and Mr. Egertson reviewed the comments and incorporated some of his suggestions in this version of the presentation.

Mr. Cooley went over Transportation Impact Fees power point presentation with the Committee. He said that at this time there is no money for road construction projects, that money for existing projects has been cut. If Culpeper County wants new roads, we will have to fund them ourselves.

There were suggested minor changes to several slides throughout the presentation.

➤ **VII. Open Discussion**

The Committee agreed that this presentation is good.

➤ **VIII. Recommendation to the Board of Supervisors**

Mr. Egertson referred to the memo he wrote to the members of the TIFAC regarding a motion. He suggested that a detailed motion would be appropriate so that Chairman Aylor would be in a good position to ask the Board for a work session.

***Mr. Dunn made a motion that the Transportation Impact Fee Committee recommend to the Board of Supervisors that a work session regarding transportation impact fees be scheduled sometime during the month of July if the Board's schedule will allow. The Transportation Impact Fee Committee has prepared all necessary documents, including an Ordinance, a Comprehensive Plan Amendment, a Study and a Fee Schedule. Although the Board has previously acted upon an impact fee proposal, the Committee has substantially revised all aspects of the impact fee proposal and it believes that most, if not all of the concerns previously raised by the Board have been addressed. The Committee would like an opportunity to review this important issue with the full Board in a work session format in order to fully consider the merits of moving forward with transportation Impact Fees in Culpeper County. Mr. Cheatle seconded the motion and it passed unanimously.***

Kenton S. Dunn	aye
Walter Cheatle	aye
Larry W. Aylor	aye

The meeting adjourned at 3:47 p.m.

Minutes prepared by:

Grace G. Lowe  
Planning Assistant